CONTRA COSTA COUNTY

Administration Building | 1025 Escobar St., Martinez, CA 94553

AGENDA

Tuesday, February 10, 2026

9:00 AM

BOARD OF SUPERVISORS

Supervisor John Gioia, District I
Supervisor Candace Andersen, District II
Supervisor Diane Burgis, District III
Supervisor Ken Carlson, District IV
Supervisor Shanelle Scales-Preston, District V

Clerk of the Board (925) 655-2000
clerkoftheboard@cob.cccounty.us

The public may attend the Board meeting in person and remotely via call-in or Zoom. Board meetings are televised live on Comcast Cable 27, ATT/U-Verse Channel 99, and WAVE Channel 32, and can be seen live online at www.contracosta.ca.gov. Meetings of the Board are closed-captioned in real time. For real time translation of the Board of Supervisors meeting, please go to the Wordly website: https://attend.wordly.ai/join/UPPW-1508.

Persons who wish to address the Board during public comment or with respect to an item on the agenda may comment in person or may call in during the meeting by dialing 1 855-758-1310. A caller should indicate they wish to speak on an agenda item by pushing "#2" on their phone. Persons who wish to address the Board in person should complete the form provided for that purpose. Access via Zoom is also available using the following link: https://cccounty-us.zoom.us/j/81863939331. Those participating via Zoom should indicate they wish to speak on an agenda item by using the “raise your hand” feature in the Zoom app. To provide contact information, please contact Clerk of the Board at clerkoftheboard@cob.cccounty.us or call 925-655-2000. If the Zoom connection malfunctions for any reason, the meeting may be paused while a fix is attempted. If the connection is not reestablished, the Board will continue the meeting in person without remote access.

Public comments generally will be limited to two minutes per speaker. In the interest of facilitating the business of the Board, the total amount of time that a member of the public may use in addressing the Board on all agenda items is 10 minutes. Your patience is appreciated.

A lunch break or closed session may be called at the discretion of the Board Chair. Staff reports related to open session items on the agenda are also accessible online at www.contracosta.ca.gov.

1. CALL TO ORDER; ROLL CALL

2. PLEDGE OF ALLEGIANCE

3. CLOSED SESSION

A. CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code § 54957.6)

1. Agency Negotiators: Monica Nino.

Employee Organizations: Public Employees Union, Local 1; AFSCME Locals 512 and 2700; California Nurses Assn.; SEIU Locals 1021 and 2015; District Attorney Investigators' Assn.; Deputy Sheriffs Assn.; United Prof. Firefighters I.A.F.F., Local 1230; Physicians' & Dentists' Org. of Contra Costa; Western Council of Engineers; United Chief Officers Assn.; Contra Costa County Defenders Assn.; Contra Costa County Deputy District Attorneys' Assn.; Prof. & Tech. Engineers IFPTE, Local 21; and Teamsters Local 856.

2. Agency Negotiators: Monica Nino.

Unrepresented Employees: All unrepresented employees.

B. CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION (Gov. Code § 54956.9(d)(1))
1. David Lynds v. Contra Costa County, WCAB No. ADJ17263526
C. CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to Gov. Code, § 54956.9(d)(2): [One potential case]
D. CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Gov. Code § 54956.8)
Property: 100 37th Street, Richmond
Agency Negotiators: Eric Angstadt, Chief Assistant County Administrator
Negotiating Parties: County of Contra Costa and Contra Costa County Justice for All
Under Negotiation: Price and terms
E. CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Gov. Code § 54956.8)
Property: 1015-1019 Garcia Ranch Road, Martinez, and APN 365-030-092-8
Agency Negotiator: Aaron McAlister, Deputy Fire Chief, and Jessica Dillingham, Principal Real Property Agent
Negotiating Parties: Contra Costa County Fire Protection District and the Trustees of the Nunes Family Trust dated May 16, 1996
Under Negotiation: Price and terms

4. Inspirational Thought-

"While it is February, one can taste the full joys of anticipation. Spring stands at the gate with her finger on the latch." ~Patience Strong

5. CONSIDER CONSENT ITEMS (Items listed as C.1 through C.72 on the following agenda) – Items are subject to removal from Consent Calendar by request of any Supervisor. Items removed from the Consent Calendar will be considered with the Discussion Items.

PR. PRESENTATIONS

PR.1 PRESENTATION recognizing February 2026 as Grand Jury Awareness month. (Supervisor Andersen)

PR.2 PRESENTATION proclaiming February 2026 as Eligibility Workers Month. (Marla Stuart, Employment and Human Services Director)

PR.3 PRESENTATION proclaiming February 20, 2026 as Government Communicators Day. (Kristi Jourdan, Office of Communications and Media Director)

D. DISCUSSION ITEMS

D.1. RECEIVE the Sheriff's Oversight Report for the quarter ending December 31, 2025. (David Livingston, Sheriff- Coroner) **26-510**

Attachments: 2025 Q4 Report Final SS

D.2. CONSIDER introducing Ordinance No. 2026-05 authorizing the levy of a 0.625% General Retail Transactions (Sales) and Use Tax in Contra Costa County, WAIVE reading and FIX March 3, 2026 for adoption of the ordinance and a resolution calling an election for June 2, 2026, and submitting the general sales tax measure to the voters. (Timothy Ewell, Chief Assistant County Administrator) **26-511**

Attachments: PowerPoint Presentation
Ordinance No. 2025-05
DRAFT Resolution Authorizing Sales Tax

D.3. CONSIDER approving written argument in favor of the 2026 Voter-Approved Contra Costa County Urban Limit Line ballot measure. (John Kopchik, Director, Conservation and Development Department) **26-512**

Attachments: Attachment A - Argument in Favor of 2026 ULL Ballot Measure

D.4. CONSIDER accepting the monthly update on the activities and oversight of the County's Head Start Program as recommended by the Employment and Human Services Director, and provide guidance. (Marla Stuart, Employment and Human Services Director) **26-513**

Attachments: February 2026 BOS Head Start Update - FINAL
1. Funding Guidance Letter - Annual - 09CH012839
2. CCB-25-34 Mandatory Transition to the Updated DRDP 2025
3. New HSPPS Compliance Timeline and Analysis

D.5. RECEIVE the Head Start Governance Training for the Board of Supervisors as required by the Head Start Act and the Head Start Program Performance Standards. (Marla Stuart, Employment and Human Services Director) **26-514**

Attachments: Governance Training PPT for BOS - FINAL
1. Head Start Program Governance Reference Book
2. Head Start Program Management Wheel

D.6 CONSIDER consent item previously removed.

D.7 PUBLIC COMMENT (2 Minutes/Speaker)

D.8 CONSIDER reports of Board members.

9. ADJOURN to the ribbon cutting at the West County Reentry Treatment and Housing Facility 5555 Giant Hwy, Richmond, CA

10. CONSENT CALENDAR

Airport

C.1. APPROVE the rescission of the Guaranty of Lease Associated with the Buchanan Fields Golf Club Lease, Pacheco area. (No Fiscal Impact) **26-515**

Board of Supervisors (for district offices)

C.2. APPROVE allocations of Supervisorial District V Community Impact Funds in the amount of $20,760, as recommended by Supervisor Scales-Preston. (100% General Fund) **26-516**

Attachments: Attachment A

Clerk of the Board

C.3. ADOPT Resolution No. 2026-32 declaring February 2026 as Eligibility Work Month in Contra Costa County as recommended by the Employment and Human Services Director. **RES 2026-32**

C.4. ADOPT Resolution No. 2026-33 proclaiming February 20, 2026, as "Government Communicators Day" in Contra Costa County, as recommended by the Director of the Office of Communications & Media **RES 2026-33**

C.5. ACCEPT the resignation of Rick Godfrey, DECLARE a vacancy in the Community-based Representative Seat 3 on the Racial Justice Oversight Body for a term ending December 31, 2026, and DIRECT the Clerk of the Board to post the vacancy. **26-517**

C.6. ACCEPT the resignation of Brock Dubbles, DECLARE a vacancy in the District IV seat on the In Home Supportive Services Public Authority Advisory Committee for term ending March 6, 2028, and DIRECT the Clerk of the Board to post the vacancy, as recommended by the Employment and Human Services Director. **26-518**

C.7. APPOINT Marisol Rubio to the San Ramon Area Seat and Richard Adler to the City of San Ramon Alternate seat on the Iron Horse Corridor Management Program Advisory Committee for terms ending with an expiration date of January 1, 2027, as recommended Supervisors Andersen and Carlson. **26-519**

C.8. APPOINT Lacharonda Taylor to the District 3, Family Seat on the Behavioral Health Board to a term expiring December 31, 2028, as recommended by Supervisor Burgis. **26-520**

C.9. REAPPOINT Gregory McLendon to the Appointment 1 seat on the County Service Area Discovery Bay P- 6 Citizen Advisory Committee to a term expiring December 31, 2027, as recommended by Supervisor Diane Burgis. **26-521**

C.10. REAPPOINT Joseph Knipp to the Appointee 5 seat on the County Service Area P- 6 Discovery Bay Citizen Advisory Committee for a term ending December 31, 2027, as recommended by Supervisor Burgis. **26-522**

C.11. ACCEPT the resignation of Susan Hurl, and DECLARE a vacancy in the At-Large Commercial Seat 2 on the Sustainability Commission for a term ending March 31, 2027, and DIRECT the Clerk of the Board to post the vacancy. **26-523**

C.12. ACCEPT the resignations of Tim Fares, Khulood Jamil, and Amy Wells; REASSIGN Okeena Dickson to the Consumer 1 – West County seat with a term ending April 30, 2027 and Stephanie Shieh to the Discretionary Appointee 3 – Central/South seat with a term ending April 30, 2028 on the Local Planning and Advisory Council for Early Care and Education; and DECLARE vacancies in the Public Agency 1 - West County seat, Discretionary Appointee 4 - West County seat, and Public Agency 4 - East County seat for terms ending April 30, 2027 on the Local Planning and Advisory Council for Early Care and Education, and DIRECT the Clerk of the Board to post the vacancies, as recommended by the Contra Costa County Office of Education. **26-524**

Attachments: 2025-26 CCCounty LPC Roster - Updates

Clerk-Recorder/Elections

C.13. APPROVE and AUTHORIZE the Clerk-Recorder, or designee, to execute a contract amendment with Konnech, Inc. to increase the payment limit by $30,000 to a new payment limit of $137,408 and extend the term through February 20, 2027, to provide poll worker and location management software. (100% General Fund) **26-525**

Conservation & Development

C.14. ADOPT Resolution No. 2026-34 authorizing the Department of Conservation and Development Director to apply for and accept up to $30,000,000 State of California Homekey+ Funds for the Choice in Aging Senior Housing Project located at 490 Golf Club Road in the City of Pleasant Hill. (100% State Funds, no County match) **RES 2026-34**

C.15. RATIFY the Department of Conservation and Development's decision to APPOINT Samantha Harris as the primary appointment, and Jamar Stamps as the alternate, to the Contra Costa Transportation Authority's Accessibility Advisory Committee, for a three-year term expiring February 23, 2029, as recommended by the Conservation and Development Director. (No Fiscal Impact) **26-526**

Attachments: Accessibility Advisory Committee Member Nominations
Accessibility Advisory Committee Bylaws

County Administration

C.16. ADOPT conforming changes proposed to the 2025-26 State Legislative Platform, as recommended by the Legislation Committee. (No fiscal impact) **26-527**

Attachments: 2025-26 Proposed State Platform- 2-10-26

C.17. APPROVE amendments to the Contra Costa County Post-Employment Health Care Plan Investment Policies and Guidelines, as recommended by the Post Retirement Health Benefits Trust Agreement Advisory Body (No fiscal impact). **26-528**

Attachments: PRHCP Investment Policies - February 2026 REDLINE
PRHCP Investment Policies - February 2026 CLEAN

C.18. ADOPT Resolution No. 2026-35 authorizing the issuance and sale of "Brentwood Union School District, General Obligation Bonds, Election of 2016, Series 2026" in an amount not to exceed $6,500,000 by the District on its own behalf pursuant to Sections 15140 and 15146 of the Education Code, as permitted by Section 53508.7(c) of the Government Code, as recommended by the County Administrator. (No fiscal impact) **RES 2026-35**

Attachments: District Resolution

District Attorney

C.19. APPROVE and AUTHORIZE the District Attorney, or designee, to apply for and accept the Alcohol and Drug Impaired Driver Vertical Prosecution Program grant, from the California Office of Traffic Safety, in an amount not to exceed $832,901, for a specialized team to prosecute alcohol and drug impaired driving cases for the period October 1, 2026 through September 30, 2027. (100% State) **26-529**

Employment & Human Services

C.20. ADOPT Resolution No. 26-36 to approve and authorize the Employment and Human Services Director, or designee, to execute a revenue agreement with the State of California Department of Community Services and Development, in an amount not to exceed $3,980,391 for the Low Income Home Energy Assistance Program for the period November 1, 2025, through June 30, 2027, and to authorize the approval of future amendments thereof during the term of the agreement that allow the total funding amount to increase up to $5,649,608 with no other changes to the agreement. (100% Federal) **RES 2026-36**

C.21. APPROVE and AUTHORIZE the Purchasing Agent, or designee, to execute on behalf of the Employment and Human Services Director, a contract with Park Place Technologies LLC, in an amount not to exceed $36,427 for the purchase of VMware technical support, for the period March 1, 2026, through February 29, 2028. (54% Federal, 38% State, 8% County) **26-530**

C.22. APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract amendment with Wayfinder Family Services, to increase the payment limit by $58,751 to a new payment limit not to exceed $1,100,841 to provide additional emergency needs and/or concrete direct assistance support for Kinship Families and Caregivers through the Wayfinder Family Services, Kinship Support Services Program in East Contra Costa County with no change to term July 1, 2024, through June 30, 2026. (95% State, 5% Federal) **26-531**

Fire Protection District

C.23. Acting as the governing board of the Contra Costa County Fire Protection District, APPROVE Budget Amendment No. BDA-25-00162 appropriating fund balance of $2,900,000 for the purchase of property at 1300 Civic Drive, Walnut Creek for training and support activities. (100% CCCFPD EMS Transport Fund) **26-532**

Attachments: BDA-25-00162.pdf

C.24. Acting as the governing board of the Contra Costa County Fire Protection District, APPROVE and AUTHORIZE the Fire Chief, or designee, to execute a contract amendment with O3, Inc., to increase the payment limit by $500,000, to a new payment limit of $2,000,000, with no change to the term ending June 30, 2027, for consulting and technical assistance related to the construction of the new Contra Costa Regional Fire Communications Center. (100% CCCFPD EMS Transport Fund.) **26-533**

C.25. Acting as the governing board of the Contra Costa County Fire Protection District; APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Fire Chief, a purchase order amendment with Hazmat Resource, to increase the payment limit by $200,000 to a new payment limit of $440,000 for the acquisition of hazardous materials equipment, personal protective equipment, training devices, technical reference material and related accessories, for the period May 1, 2025 through April 30, 2028. (100% CCCFPD General Operating Fund) **26-534**

C.26. Acting as the governing board of the Contra Costa County Fire Protection District; APPROVE and AUTHORIZE the Fire Chief to execute a contract with GMR/REACH Air Medical Service for the continuation of dispatching air ambulance resources, logistical air support, co-branded aviation resources within the county, and the ability to recoup the Fire District costs associated with the partnership. (No fiscal impact) **26-535**

C.27. Acting as the governing board of the Contra Costa County Fire Protection District, APPROVE and AUTHORIZE the Fire Chief, or designee, to execute, a Participating Addendum with Stihl Incorporated, in an amount not to exceed $250,000 for the purchase of chainsaws, circular saws, parts, and other supplies as needed for the Fire District's Wildland and Saw Programs, for the period February 1, 2026 through January 31, 2029. (100% CCCFPD General Operating Fund) **26-536**

C.28. Acting as the governing board of the Contra Costa County Fire Protection District; APPROVE clarification to the Board's November 4, 2025 approval (25-4613), which authorized Contra Costa County Fire Protection District to execute a contract with CPS HR Consulting in an amount not to exceed $400,000 for the period November 1, 2025 through October 31, 2028, clarifying that the contract contains modified indemnification language. (100% CCCFPD General Operating Fund) **26-537**

C.29. Acting as the governing board of the Contra Costa County Fire Protection District, APPROVE and AUTHORIZE the Purchasing Agent, on behalf of the Fire Chief, to execute a purchase order with Computer Discount Warehouse Government, in an amount not to exceed $266,838 for the purchase of universal power supply units. (100% CCCFPD EMS Transport Fund) **26-538**

C.30. Acting as the governing board of the Contra Costa County Fire Protection District, APPROVE and AUTHORIZE the Purchasing Agent, on behalf of the Fire Chief, to execute a purchase order with Cross Connections, an authorized reseller for BK Technology, in an amount not to exceed $425,000 for purchase of radio equipment maintenance services. (100% CCCFPD General Fund) **26-539**

C.31. Acting as the governing board of the Contra Costa County Fire Protection District, RATIFY the Fire District's grant application; and APPROVE and AUTHORIZE the Fire Chief, or designee, to accept grant funding, if awarded, from the Federal Emergency Management Agency, U.S. Department of Homeland Security, Urban Area Security Initiative Grants Program in an amount not to exceed $19,920 for the purchase of eleven portable personal radiation detectors. (100% Federal) **26-540**

C.32. Acting as the governing board of the Contra Costa County Fire Protection District, RATIFY the Fire District's grant application; and APPROVE and AUTHORIZE the Fire Chief, or designee, to accept grant funding, from the Federal Emergency Management Agency, U.S. Department of Homeland Security, Urban Area Security Initiative (UASI) Grants Program in an amount not to exceed $205,232 for the purchase of a portable chemical identification analyzer. (100% Federal) **26-541**

C.33. Acting as the governing board of the Contra Costa County Fire Protection District; APPROVE and AUTHORIZE the Fire Chief, or designee, to execute on behalf of the Contra Costa County Fire Protection District, a purchase and sale agreement to purchase the real property located at 1015 and 1019 Garcia Ranch Road, in unincorporated Martinez, from the Nunes Family Trust, at a purchase price of $2,495,000 for reserve Fire Station 19, and to execute acceptance of a grant deed and related documents; and APPROVE Budget Amendment No. BDA-26-00013 appropriating fund balance of $2,595,000 for the purchase price and estimated closing costs. (100% CCCFPD General Operating fund balance) **26-542**

Attachments: Purchase Sale Agreement_Garcia Ranch Road
BDA-26-00013.pdf

Health Services

C.34. APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Telecare Corporation, in an amount not to exceed $1,456,673 for Telecare Corporation to locate, secure, and make all necessary tenant improvements on three temporary residential facilities for current Hope House residents and staff being relocated while Hope House undergoes required renovations for the period February 1, 2026 through January 31, 2027. (100% Mental Health Services Act) **26-543**

C.35. APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment with The Rokos Group, LLC, to increase the payment limit by $400,000, to an amount not to exceed $464,000 and extend the term through December 31, 2026 for additional recruitment services for vacant Health Services Chief Financial Officer, Contra Costa Health Plan Chief Operations Officer, and Contra Costa Regional Medical Center Chief Operations Officer positions. (67% Hospital Enterprise Fund I; 33% Contra Costa Health Plan Enterprise Fund II) **26-544**

C.36. APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment with Community Medical Specialists, Inc. (dba Community Behavioral Health), to increase the payment limit by $900,000 to an amount not to exceed $1,500,000 for additional behavioral health therapy services with no change in the term ending May 31, 2028. (100% Contra Costa Health Plan Enterprise Fund II) **26-545**

C.37. APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Mainsail Parent, LLC (dba Aspirion Health Resources LLC), in an amount not to exceed $500,000 to process out-of-state Medicaid claims and provide commercial insurance claim denial resolutions for the Health Services Department for the period February 1, 2026 through January 31, 2027. (100% Hospital Enterprise Fund I) **26-546**

C.38. APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Chulong Xue, LAC, in an amount not to exceed $330,000 to provide acupuncture services to Contra Costa Health Plan members and County recipients for the period February 1, 2026 through January 31, 2029. (100% Contra Costa Health Plan Enterprise Fund II) **26-547**

C.39. APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with MedAmerica Physician Solutions, PC, in an amount not to exceed $300,000 to provide outpatient wound care services for Contra Costa Health Plan members and County recipients for the period February 1, 2026 through January 31, 2028. (100% Contra Costa Health Plan Enterprise Fund II) **26-548**

C.40. APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Lana Schick Hutnick, D.C., in an amount not to exceed $272,000 to provide chiropractic services at Contra Costa Regional Medical Center and Health Centers for the period February 1, 2026 through January 31, 2029. (100% Hospital Enterprise Fund I) **26-549**

C.41. APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment with Golden State Dermatology Associates Inc., to increase the payment limit by $90,000 to an amount not to exceed $6,090,000 and to add vein treatment services for Contra Costa Health Plan members and County recipients with no change in the term ending March 31, 2028. (100% Contra Costa Health Plan Enterprise Fund II) **26-550**

C.42. APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment with Family Spring Psychology, P.C., to increase the payment limit by $120,000 to an amount not to exceed $420,000 for additional behavioral health psychology therapy treatment services for Contra Costa Health Plan members and County recipients with no change in the term ending December 31, 2027. (100% Contra Costa Health Plan Enterprise Fund II) **26-551**

C.43. APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Shelter, Inc., in an amount not to exceed $1,374,917 to provide housing support services to County residents who have a disability, who are experiencing homelessness, and who are receiving services in the Supportive Housing Program for the period December 1, 2025 through November 30, 2026. (99% U.S. Department of Housing and Urban Development; 1% Behavioral Health Services Act) **26-552**

C.44. APPROVE and AUTHORIZE the Purchasing Agent, or designee, to execute, on behalf of the Health Services Department, Amendment No. 1 to a participating addendum with CDW Government, LLC, to increase the amount by $500,000 to a payment limit of $3,000,000, for technology products, ancillary services and related solutions. (100% Hospital Enterprise Fund I) **26-553**

Attachments: Amend 1 to Part Addend - CDW-G (Sourcewell) FINAL for 2 3 26 Board Date

C.45. APPROVE and AUTHORIZE the Purchasing Agent, or designee, to execute on behalf of the Health Services Director, a purchase order with Hoover's Commercial Services, Inc. (dba Be. Workplace Designs), in an amount not to exceed $1,084,438 for the purchase of office furniture to be used for the Mental Health Rehabilitation Center program located at 847 Brookside in Richmond. (100% Behavioral Health Continuum Infrastructure Program funds) **26-554**

C.46. APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Evergreen Healthcare Partners, Inc., in an amount not to exceed $3,000,000 to provide consultation and technical assistance services to the Health Services Department's Information Systems Unit in support of the ccLink Electronic Health Record System for the period February 1, 2026 through January 31, 2029. (100% Hospital Enterprise Fund I). **26-555**

C.47. APPROVE and AUTHORIZE the Purchasing Agent, or designee, to execute on behalf of the Health Services Director, a purchase order amendment with Atlassian US, Inc., to increase payment limit by $33,694 to an amount not to exceed $227,159 for Jira project management software licenses with no change in the term ending February 14, 2027. (100% Hospital Enterprise Fund I) **26-556**

C.48. RESCIND Board action of January 13, 2026, which authorized and approved execution of a contract with Witt/Kieffer Inc., in an amount not to exceed $500,000 for executive leadership recruitment services for the Health Services Chief Financial Officer, the Contra Costa Health Plan Chief Operations Officer and the Contra Costa Regional Medical Center Chief Operations Officer for the period January 1, 2026 through December 31, 2026. (No fiscal impact) **26-557**

Human Resources

C.49. APPROVE and AUTHORIZE the Human Resources Director, or designee, to execute a contract amendment with the Segal Group, Inc. to increase the payment limit by $136,000 to a new payment limit of $526,000 and to extend the term through February 28, 2027, for health and welfare benefit consulting services. (100% Benefits Administration Fee) **26-558**

Information and Technology

C.50. APPROVE and AUTHORIZE the Purchasing Agent, on behalf of the Chief Information Officer, to execute a purchase order with Carahsoft Technology Corp. in an amount not to exceed $23,000, for the purchase of LinkedIn Learning for Government for the period of April 19, 2026, through April 18, 2027.(100% User Departments) **26-559**

C.51. APPROVE and AUTHORIZE the Purchasing Agent, on behalf of the Chief Information Officer to execute a purchase order with Articulate Global, LLC, subject to Articulate's Terms of Service, in an amount not to exceed $1,700 to purchase Articulate 360 Teams, a subscription service for an eLearning platform, for the period of January 12, 2026, through January 11, 2027.(100% User Departments) **26-560**

C.52. APPROVE and AUTHORIZE the ongoing destruction of certain County records maintained by the Department of Information Technology as follows: (1) personnel records that are no longer necessary for county purposes and are not otherwise required by law to be preserved may be destroyed at the direction of the Chief Information Officer seven years after employment ends; and (2) other records that are over five years old, are no longer necessary for county purposes, and are not otherwise required by law to be preserved, may be destroyed at the direction of the Chief Information Officer. **26-561**

C.53. APPROVE and AUTHORIZE the Purchasing Agent, on behalf of the Chief Information Officer, to execute a purchase order with ePlus Technology Inc, subject to the F5 Government Solutions LLC. Maintenance Terms and Conditions, in an amount not to exceed $50,000 for F5 Network hardware maintenance and support services for the period of March 12, 2026, through March 11, 2027. (100% User Departments) **26-562**

Library

C.54. APPROVE the amended Library Patron Conduct Policy and Library Suspension Policy, as recommended by the County Librarian. (No fiscal impact) **26-563**

Attachments: Contra Costa County Library Suspension Policy 2026 DRAFT
Contra Costa County Library Patron Conduct Policy 2026 DRAFT

C.55. APPROVE and AUTHORIZE the Librarian, or designee, to close the Prewett Library in Antioch on Thursday February 12th, 2026, to coincide with the holiday closure of the Antioch Community Center to observe Abraham Lincoln's Birthday. (No fiscal impact) **26-564**

Public Works

C.56. ADOPT Resolution No, 2026-37 approving and authorizing the Public Works Director, or designee, to fully close a portion of Purdue Avenue on March 2, 2026, from 7:30 a.m. through 5:30 p.m., for the purpose of a utility pole replacement, Kensington area. (No fiscal impact) **RES 2026-37**

C.57. ADOPT Resolution No. 2026-38 approving and authorizing the Public Works Director, or designee, to fully close a portion of Windsor Avenue, between 9 Windsor Avenue and 25 Westminster Avenue, on April 8, 2026, from 7:30 a.m. through 5:30 p.m., for the purpose of replacing a utility pole, Kensington area. (No fiscal impact) **RES 2026-38**

C.58. ADOPT Resolution No. 2026-39 approving and authorizing the Public Works Director, or designee, to fully close a portion of Yale Avenue, between 203 Yale Avenue and 247 Yale Avenue, on April 8, 2026, from 7:30 a.m. through 5:30 p.m., for the purpose of replacing two utility poles, Kensington area. (No fiscal impact) **RES 2026-39**

C.59. APPROVE and AUTHORIZE the County Auditor-Controller to issue a payment in the amount of $35,445 to the City of Lafayette, under the equitable relief theory of quantum meruit, to fund emergency repairs on a storm drain culvert at Reliez Valley Road and Withers Avenue, Lafayette area, as recommended by the Public Works Department. (100% Local Road Funds) **26-565**

Attachments: ATTACHMENT - Lafayette-CCC Pipe Replacement Invoice

C.60. APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a contract with LEHR Upfitters OPCO, LLC, in an amount not to exceed $3,000,000, to provide emergency vehicle upfitting services for County vehicles, for the period of May 1, 2026 through April 30, 2029, Countywide. (100% Fleet Internal Service Fund) **26-566**

C.61. APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a contract amendment with Charles Kopp Inc., effective February 1, 2026, to increase the payment limit by $500,000 to a new payment limit of $3,750,000 and increase the rates with no change to the contract term, for on-call electrical services at various County sites and facilities, Countywide. (100% General Fund) **26-567**

C.62. APPROVE and AUTHORIZE the Public Works Director or designee, to execute a contract with CTY Housing, INC. in an amount not to exceed $25,000 to provide property ownership and development scenario analysis and reporting services for the period of February 10, 2026, through February 9, 2029, Countywide. (100% General Fund) **26-568**

C.63. APPROVE the 2026 Countywide Surface Treatment and Curb Ramp Projects and AUTHORIZE the Public Works Director, or designee, to advertise the Project, Countywide. (100% Local Road Funds) **26-569**

Attachments: NOE 2026 Countywide Surface Treatment and Curb Ramp

C.64. APPROVE the San Pablo Dam Road – Storm Drain and Pavement Repair and AUTHORIZE the Public Works Director, or designee, to advertise the Project, Orinda area. (82% Federal Emergency Relief Funds, 18% Local Road Funds) **26-570**

Attachments: ISMND SPDR Pavement Repair
NOD SPDR Pavement Repair

C.65. APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a contract with Rubicon Programs Inc., in an amount not to exceed $262,470, to provide Landscape Maintenance Services, for the period March 2, 2026, through March 1, 2029, San Pablo area. (District I) (100% County Service Area M-17 Funds) **26-571**

C.66. AWARD and AUTHORIZE the Public Works Director, or designee, to execute a construction contract to Buhler Commercial for the Brookside Mental Health Rehabilitation Center Project located at 847B Brookside Drive, Richmond area. (69% Behavioral Health Infrastructure Program Grant and 31% Mental Health Realignment Funds). **26-572**

Attachments: Brookside Attachment A
Brookside Attachment B
Brookside Attachment C
Brookside Attachment D

C.67. AUTHORIZE the use of design build procurement in accordance with Public Contract Code Section 22164 for the California Energy Commission Government Fleet Electrical Vehicle Supply Equipment Projects located at fourteen different sites, AUTHORIZE the Public Works Director, or designee, to solicit design build proposals and issue addenda, and APPROVE the project criteria documents, including concept design and specifications, Countywide. (69% California Energy Commission Grant Funds, 31% Measure X Sustainability Fund) **26-573**

Risk Management

C.68. DENY claims filed by CSAA Insurance Group, a subrogee of Filemon Curiel; Mujica Beltran; Joshua Chang; Lauren Flicker; Terri Green; Herc Rentals; Darnice K. Marshall; Justin Russo; and San Ramon Regional Medical Center for Anne Mayfield. **26-574**

Sheriff

C.69. APPROVE and AUTHORIZE the Purchasing Agent, or designee, to execute on behalf of the Sheriff-Coroner, a purchase with SADA Systems, Inc., subject to SADA's terms and conditions, in an amount not to exceed $25,000 for the use of a Google Maps Platform for Enterprise for mapping functionality, for the period October 1, 2025 through September 30, 2028. (100% General Fund) **26-575**

C.70. APPROVE and AUTHORIZE the Sheriff-Coroner, or designee, to execute a contract with Night Flight Concepts Inc., in the amount of $100,000 for authorized preventative maintenance, repairs, and support of night vision equipment, for the period January 1, 2026 through December 31, 2029. (100% General Fund) **26-576**

C.71. APPROVE and AUTHORIZE the Sheriff-Coroner, or designee, to execute a contract with Trakka USA LLC, in an amount not to exceed $80,000 for the purchase of two Trakka Stream air to ground video transmission systems and MissionLink viewing software for STARR1 and STARR3 helicopters used by the Air Support Unit, for the period December 1, 2025 through November 30, 2027. (100% General Fund) **26-577**

C.72. ACCEPT the Office of the Sheriff Inmate Welfare Fund (IWF) report, in accordance with Penal Code Section 4025(e), on the accounting of all IWF receipts and disbursements for Fiscal Year 2024/2025. (No fiscal impact) **26-578**

Attachments: IWF Receipts and Disbursements 2024-2025

GENERAL INFORMATION

The Board meets in all its capacities pursuant to Ordinance Code Section 24-2.402.

Any disclosable public records related to an open session item on a regular meeting agenda and distributed by the Clerk of the Board to a majority of the members of the Board of Supervisors less than 96 hours prior to that meeting are available for public inspection at 1025 Escobar Street, First Floor, Martinez, CA 94553, during normal business hours.

All matters listed under CONSENT ITEMS are considered by the Board to be routine and will be enacted by one motion. There will be no separate discussion of these items unless requested by a member of the Board before the Board votes on the motion to adopt. Each member of the public will be allowed two minutes to comment on the entire consent agenda.

Persons who wish to speak on matters set for PUBLIC HEARINGS will be heard when the Chair calls for public testimony. Each speaker during public testimony will be limited to two minutes. After public testimony, the hearing is closed and the matter is subject to discussion and action by the Board. Comments on matters listed on the agenda or otherwise within the purview of the Board of Supervisors can be submitted to the office of the Clerk of the Board via mail: Board of Supervisors, 1025 Escobar Street, First Floor, Martinez, CA 94553 or to clerkoftheboard@cob.cccounty.us.

In the interest of facilitating the business of the Board, the total amount of time that a member of the public may use in addressing the Board on all agenda items is 10 minutes.

Time limits for public speakers may be adjusted at the discretion of the Chair.

The County will provide reasonable accommodations for persons with disabilities planning to attend Board meetings who contact the Clerk of the Board at least 24 hours before the meeting, at (925) 655-2000.

Anyone desiring to submit an inspirational thought nomination for inclusion on the Board Agenda may contact the Office of the County Administrator or Office of the Clerk of the Board, 1025 Escobar Street, Martinez, California.

Subscribe to receive to the weekly Board Agenda by calling the Office of the Clerk of the Board, (925) 655-2000 or using the County's on line subscription feature at the County's Internet Web Page, where agendas and supporting information may also be viewed: https://contra-costa.legistar.com/Calendar.aspx

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

Pursuant to Government Code section 84308 (the Levine Act), members of the Board of Supervisors are disqualified and not able to participate in any agenda item involving contracts (except for contracts exempt from the Levine Act under Government Code section 84308(a)), franchises, discretionary land use permits and other entitlements, if the Board member received, within the previous 12 months, more than $500 in campaign contributions from the applicant or contractor, an agent of the applicant or

contractor, or any financially interested participant who actively supports or opposes the County's decision on the agenda item. Members of the Board of Supervisors who have received, and applicants, contractors or their agents who have made, campaign contributions totaling more than $500 to a Board member within the previous 12 months are required to disclose that fact for the official record of the subject proceeding. Disclosures must include the amount of the campaign contribution and identify the recipient Board member, and may be made either in writing to the Clerk of the Board of Supervisors before the subject hearing or by verbal disclosure at the time of the hearing.

BOARD OF SUPERVISORS STANDING COMMITTEES

For more information please visit the Board of Supervisors Standing Committees page here:
https://www.contracosta.ca.gov/8633/Board-of-Supervisors-Standing-Committees

Airport Committee: March 5, 2026 at 10:00 a.m.
Economic Development Committee: April 6, 2026 at 11:00 a.m.
Equity Committee: February 18, 2026 at 9:30 a.m.
Family and Human Services Committee: March 9, 2026 at 10:30 a.m.
Finance Committee: March 2, 2026 at 9:30 a.m.
Internal Operations Committee: Februry 17, 2026 at 10:00 a.m.
Head Start Advisory Committee: March 16, 2026 9:00 a.m.
Legislation Committee: March 20, 2026 at 1:00 p.m.
Los Medanos Healthcare Operations Committee: March 2, 2026 at 10:00 a.m.
Public Protection Committee: February 12, 2026 at 10:00 a.m.
Resilient Shoreline Committee: April 13, 2026 at 9:00 a.m.
Sustainability Committee: March 9, 2026 at 1:00 p.m.
Transportation, Water and Infrastructure Committee: March 18, 2026 at 1:00 p.m.

Glossary of Acronyms, Abbreviations, and other Terms

Contra Costa County has a policy of making limited use of acronyms, abbreviations, and industry-specific language in its Board of Supervisors meetings and written materials. For a list of commonly used language that may appear in oral presentations and written materials associated with Board meetings, please visit https://www.contracosta.ca.gov/8464/Glossary-of-Agenda-Acronyms.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 26-510 **Agenda Date:** 2/10/2026 **Agenda #:** D.1.

To: Board of Supervisors

From: David O. Livingston, Sheriff-Coroner

Report Title: RECEIVE the Sheriff's Oversight Report for the quarter ending December 31, 2025.

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
RECEIVE the Sheriff's Oversight Report for the quarter ending December 31, 2025.

FISCAL IMPACT:
No fiscal impact.

BACKGROUND:
On August 9, 2022, the Board of Supervisors approved the implementation of a quarterly Oversight Report as recommended and outlined by the Public Protection Committee. The proposed quarterly reports will improve communication between the Sheriff's Office, the Board of Supervisors, and the community while providing greater transparency. The quarterly reports will provide an update regarding the activities of the Sheriff's Office and allow for questions and public discussion of operational issues.

CONSEQUENCE OF NEGATIVE ACTION:
The Board of Supervisors will not receive the report.

Contra Costa County
Office of the Sheriff

Quarterly Sheriff's Oversight Report

Oct – Dec 2025 & 2025 Recap

Custody Services Bureau

Total Number of MDF Bookings

	2024	2025
January to March	3,506	3,920
April to June	3,607	4,011
July to September	3,876	4,152
October to December	3,711	3,820
Total	14,700	15,903

Total Number of Custody Alternative Bookings

	2024	2025
January to March	402	517
April to June	489	565
July to September	462	510
October to December	441	484
Total	1,794	2,076

Detailed booking data is included as appendices to this report:

- **Total number of bookings by each agency**
- **Demographic data for each city**
- **Arrest data by city of residence for the 10 largest jurisdictions in the County**

Custody Services Bureau

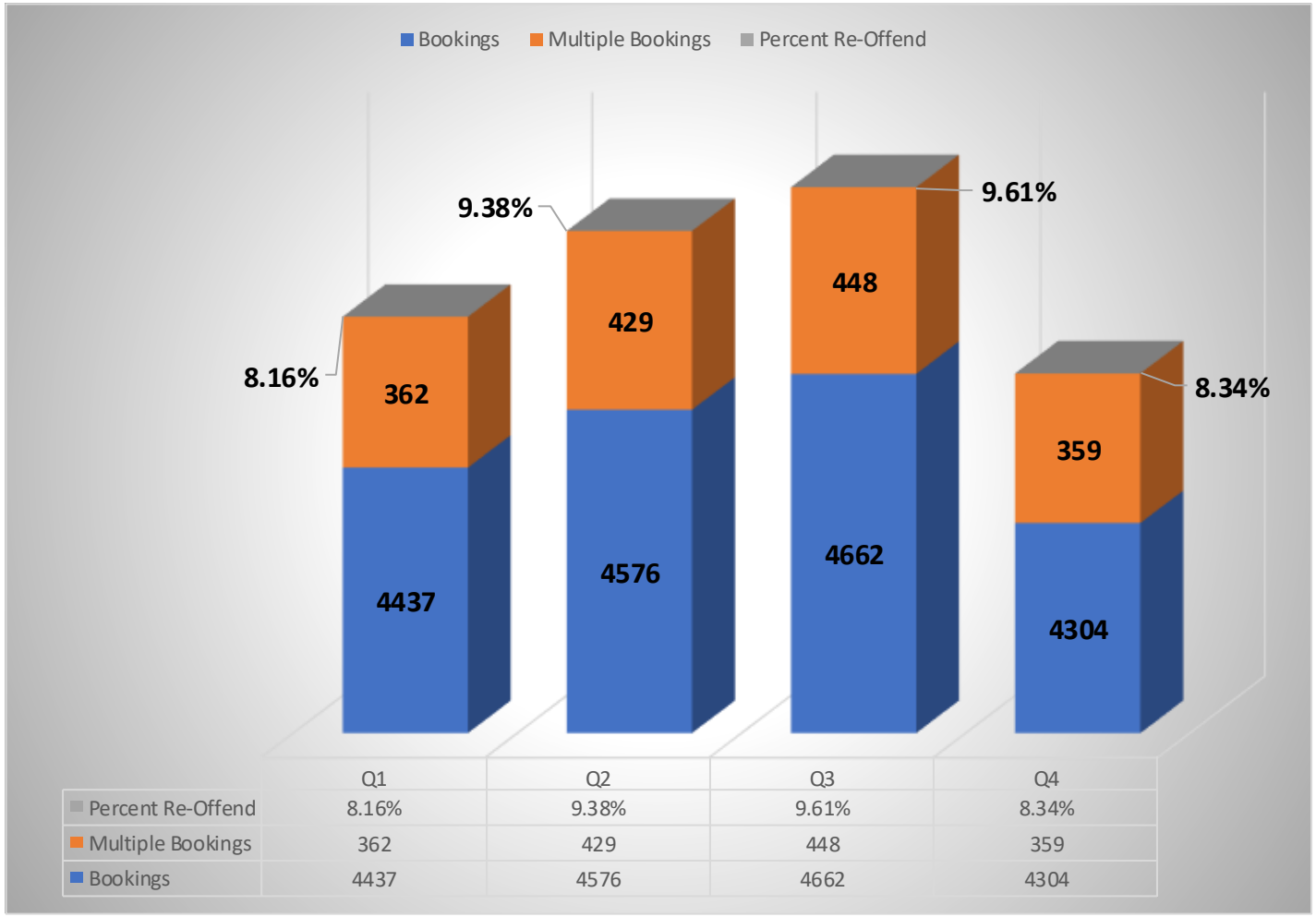
Recidivism Data

	Total Bookings	Multiple Bookings*	Percent Re-Offend
January to March	4,437	362	8.16%
April to June	4,575	429	9.38%
July to September	4,662	448	9.61%
October to December	4,304	359	8.34%

*Multiple bookings indicate the same individual was booked two (2) or more times during the specified time frame

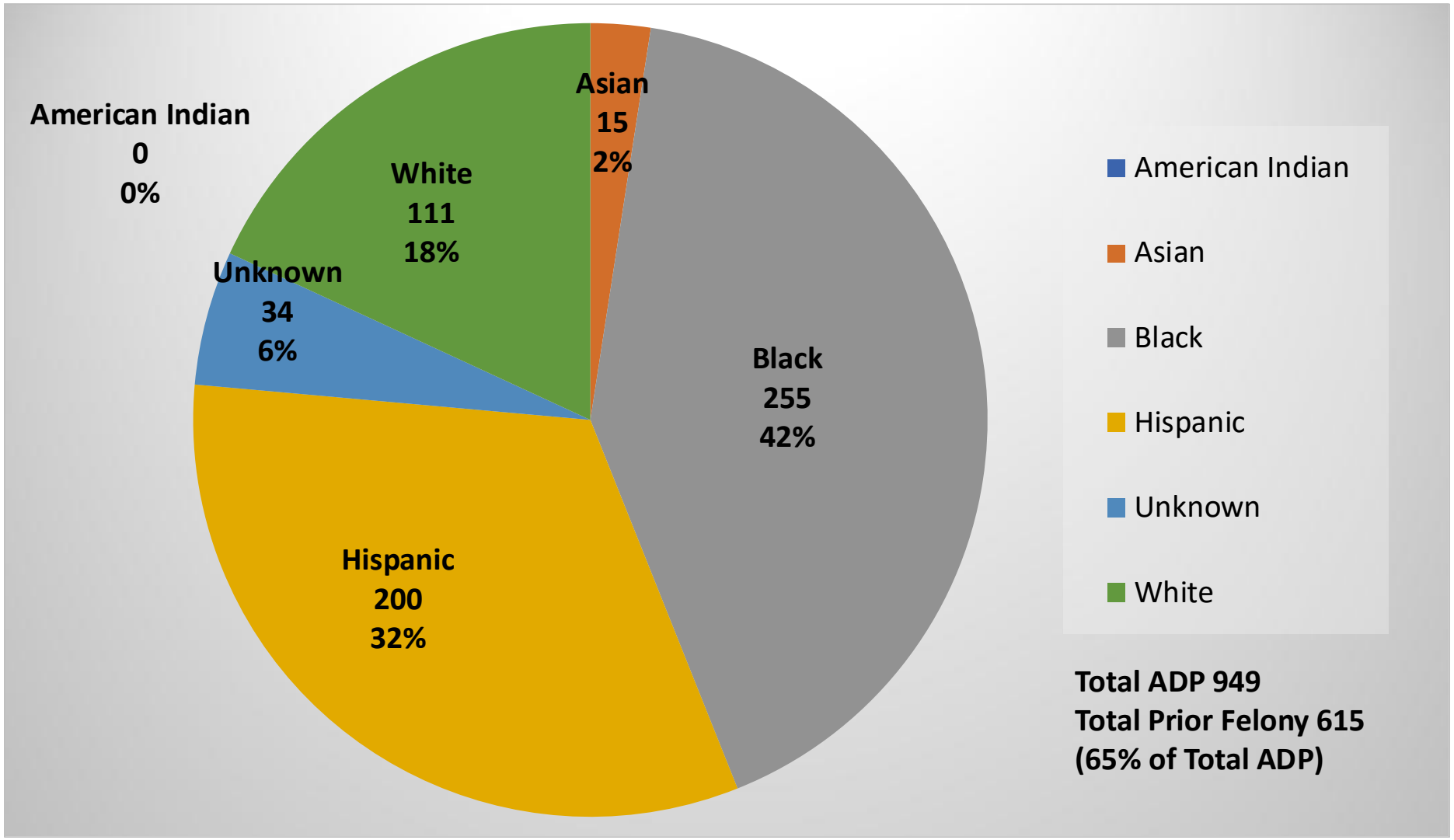
Custody Services Bureau

Recidivism Rate – Booked 2 or more times in 2025

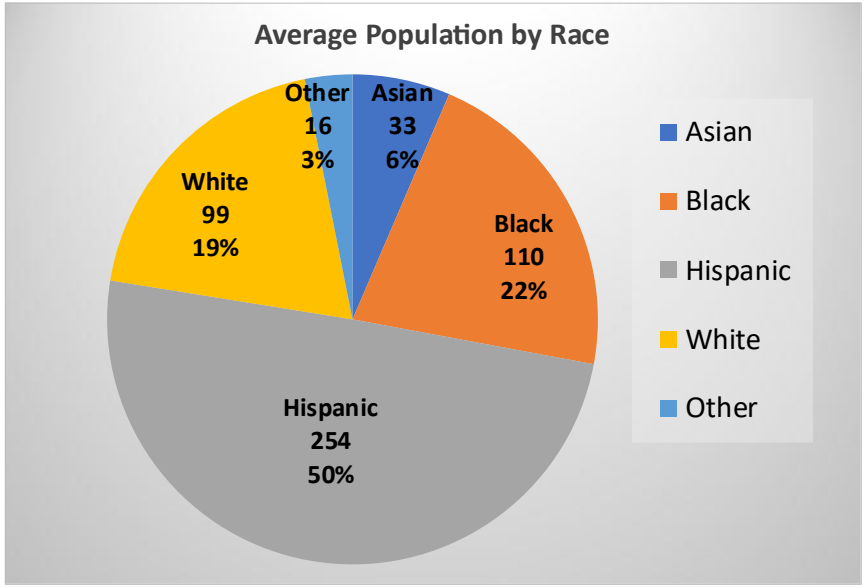


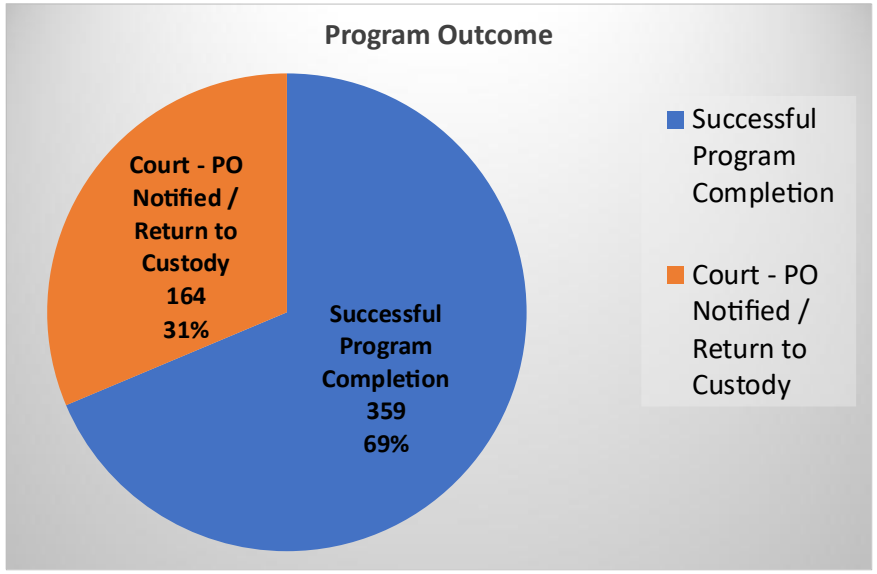
	Q1	Q2	Q3	Q4
Percent Re-Offend	8.16%	9.38%	9.61%	8.34%
Multiple Bookings	362	429	448	359
Bookings	4437	4576	4662	4304

Prior Felony by Race & Percentage of Jail Population



Custody Alternative Facility





FY 24/25 Operating Costs CAF vs Detention

FY 24/25	CAF	Detention
Incarcerated Person Average Daily Cost	$29	$257

CAF operated with a $4,754,854 budget for fiscal year 24-25

Custody Services Bureau

Bookings By Gender

	Male	Female	Other
January to March	3,470	966	1
April to June	3,588	987	0
July to Sept	3,640	1,022	0
October to December	3,359	945	0
Total	**14,057**	**3,920**	**1**

Custody Services Bureau

Average Daily Population

	January to March 2025	April to June 2025	July to September 2025	October to December 2025	2025
Custody Alternative Facility	544	643	699	717	651
Marsh Creek Detention Facility	37	34	32	43	37
Martinez Detention Facility	438	422	442	417	430
West County Detention Facility	486	493	490	489	490
*Other	98	100	101	106	101

**The number shown is an average of the daily population added together divided by the days in a month

Custody Services Bureau

Average Pre-Trial and Post-Trial Population

	Pre-Trial Oct to Dec 2025	Post-Trial Oct to Dec 2025
Custody Alternative Facility	131	579
Marsh Creek Detention Facility	19	23
Martinez Detention Facility	380	45
West County Detention Facility	376	117
*Other	95	10

The number shown is an average of the daily population added together divided by the days in a month.

Custody Services Bureau

In-Custody Deaths

0	2024	2025
January to March	0	0
April to June	0	0
July to September	1	0
October to December	0	0
Total	1	0

Narcan Deployments

	2024	2025
January to March	8	12
April to June	14	12
July to September	15	6
October to December	7	9
Total	44	39

Custody Services Bureau

Assaults on Staff

	2024	2025
January to March	15	24
April to June	14	15
July to September	21	13
October to December	13	18
Total	**63**	**70**

Custody Services Bureau

ICE I-247A Requests for Notification

Total Requests for Notifications Received

	2024	2025
January to March	127	141
April to June	147	152
July to September	155	240
October to December	148	191
Total	**577**	**724**

Total Notifications Made

	2024	2025
January to March	36	27
April to June	34	28
July to September	33	40
October to December	28	23
Total	**131**	**118**

Custody Services Bureau

ICE I-247A Requests for Notification

Notifications on the Same Person

	2024	2025
January to March	3	1
April to June	2	3
July to September	1	5
October to December	1	0
Total	**7**	**9**

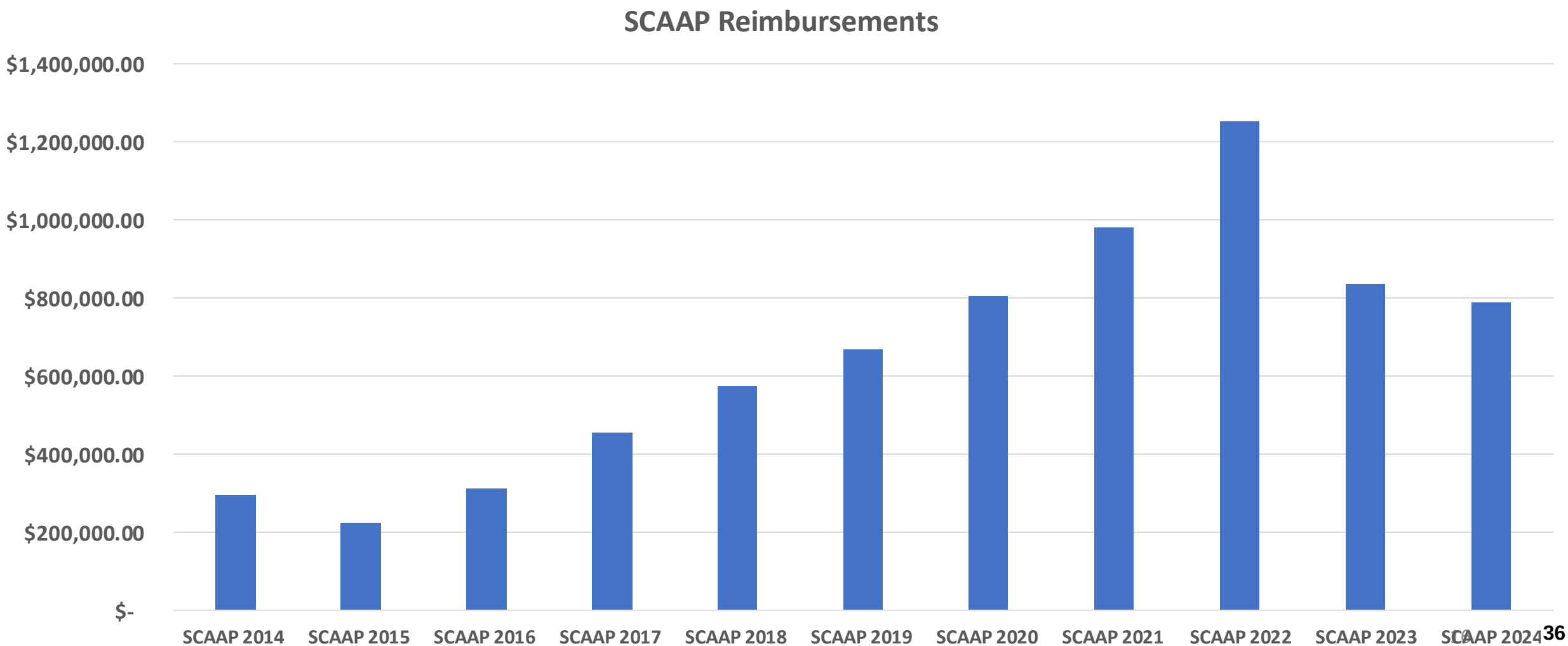
Net Notifications Made

	2024	2025
January to March	33	26
April to June	32	28
July to September	32	40
October to December	27	23
Total	**124**	**117**

WHAT IS SCAAP?

- SCAAP is the **State Criminal Alien Assistance Program**.
- SCAAP was established in **1996**, it is a Federal program that reimburses states and localities for costs associated with incarcerating undocumented criminal aliens.
- SCAAP is **NOT** connected to ICE Notifications or Requests – handled as an accounting function only
- https://bja.ojp.gov/program/state-criminal-alien-assistance-program-scaap/overview

SCAAP REIMBURSEMENTS
TOTAL $7,184,359.00



F-Module Jump Barrier- MDF

Field Operations Bureau

Total Dispatch Calls for Service

	2024	2025
January to March	65,910	86,723
April to June	71,988	75,416
July to September	76,965	79,430
October to December	68,757	90,879
Total	283,620	332,448

Total Office of the Sheriff's Calls for Service

	2024	2025
January to March	35,281	39,348
April to June	38,088	43,193
July to September	41,570	45,844
October to December	37,102	40,617
Total	152,041	169,002

Field Operations Bureau

Assaults on Staff

	2024	2025
January to March	13	8
April to June	8	9
July to September	10	13
October to December	9	13
Total	40	43

Field Operations Bureau

A3 (Anyone, Anywhere, Anytime) Requests

	2024	2025
January to March	236	329
April to June	259	350
July to September	309	397
October to December	302	442
Total	1,106	1,518

A3 Responses

	2024	2025
January to March	74	184
April to June	111	186
July to September	139	181
October to December	156	211
Total	480	762

Field Operations Bureau

Mental Health Evaluation Team Deployments

87	2024	2025
January to March	97	74
April to June	108	64
July to September	87	61
October to December	111	72
Total	403	271

Total Welfare & Institutions Code 5150 Calls

	2024	2025
January to March	269	261
April to June	256	239
July to September	263	260
October to December	247	242
Total	1,035	1,002

Field Operations Bureau

Non-Violent Welfare & Institutions Code 5150 Calls

	2024	2025
January to March	228	237
April to June	231	210
July to September	234	221
October to December	213	208
Total	906	876

Violent Welfare & Institutions Code 5150 Calls

	2024	2025
January to March	41	24
April to June	25	29
July to September	29	39
October to December	34	34
Total	129	126

Field Operations Bureau

Writ of Possession of Real Property with Tenant Removal

	2024	2025
January to March	88	73
April to June	72	71
July to September	90	79
October to December	58	64
Total	308	287

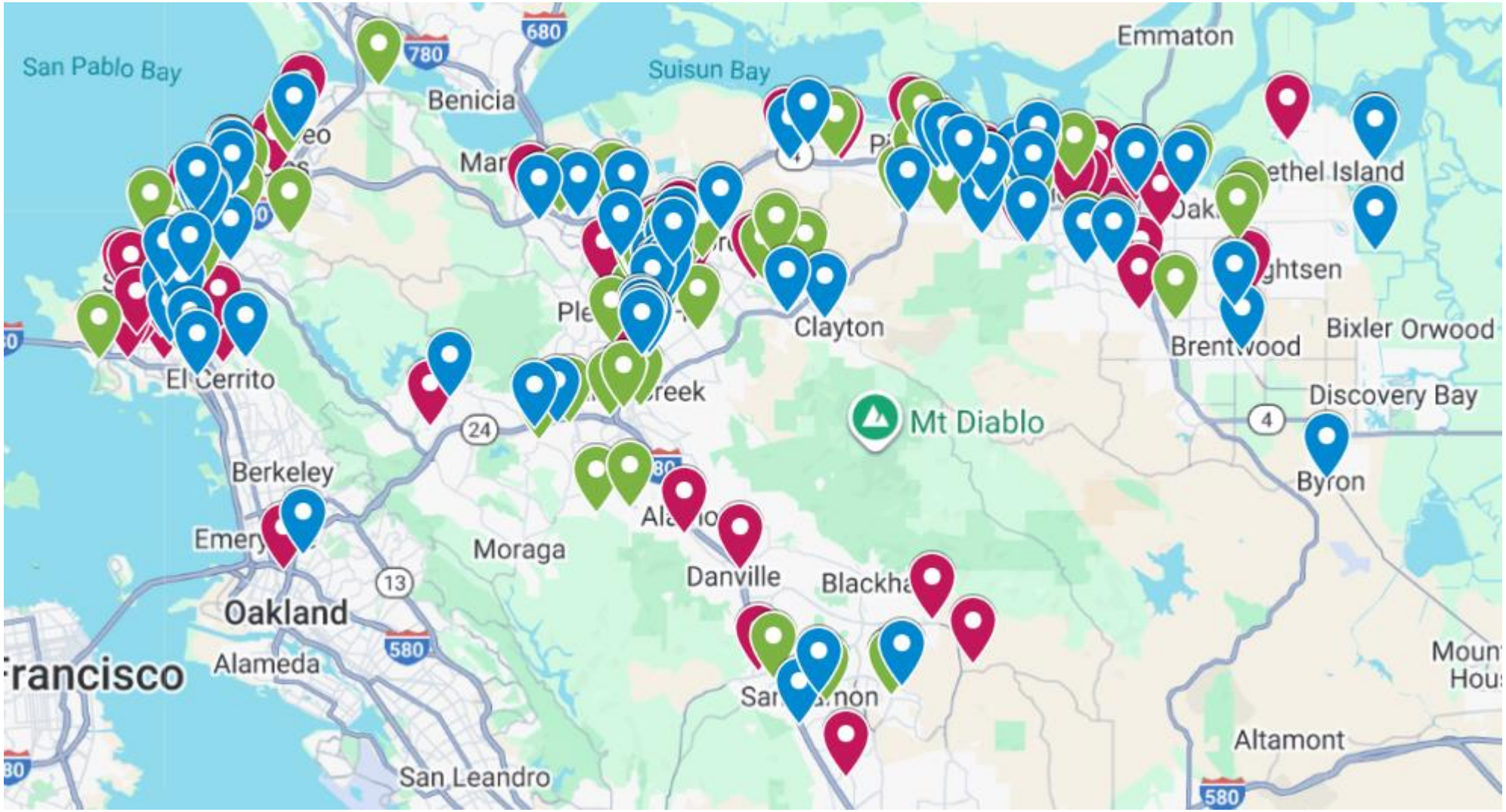
Tenant Removed from Property by Deputy Sheriffs

	2024	2025
January to March	1	0
April to June	2	1
July to September	2	1
October to December	0	0
Total	5	2

Field Operations Bureau

1,124 Total Evictions in Q4

- October Evictions – 88
- November Evictions – 63
- December Evictions – 63



Support Services Bureau

Total Number of Coroner's Cases

	2024	2025
January to March	203	227
April to June	168	215
July to September	212	223
October to December	208	196
Total	791	861

Total Number of Autopsies

	2024	2025
January to March	122	148
April to June	96	126
July to September	114	152
October to December	136	146
Total	468	572

Support Services Bureau

Total Number of Fentanyl Deaths

	2024	2025
January to March	31	11
April to June	22	11
July to September	9	17
October to December	12	4
Total	74	43

Total Number of Fentanyl Related Deaths

	2024	2025
January to March	3	11
April to June	11	7
July to September	7	4
October to December	8	12
Total	29	34

Support Services Bureau

Total Number of Suicide Deaths

	2024	2025
January to March	38	18
April to June	24	25
July to September	25	21
October to December	20	16
Total	107	80

Support Services Bureau

Suicide Deaths – Manner of Death – Oct-Dec 2025

Manner	October	November	December
Firearm	2	3	3
Asphyxiation	2	1	3
Drug Overdose	0	1	0
Carbon Monoxide Poisoning	1	0	0

Support Services Bureau

Community Warning System Registrations

	2025
January to March	2,175
April to June	2,790
July to September	1,502
October to December	1,095
Total	7,562

Administration Services Bureau

Internal Affairs Investigations Initiated

	2024	2025
January to March	6	3
April to June	3	5
July to September	5	6
October to December	2	4
Total	16	18

Use of Force Incidents reported to State DOJ*

	2024	2025
January to March	0	0
April to June	0	0
July to September	0	0
October to December	0	0
Total	0	0

* Government Code 12525.2 requires every law enforcement agency to furnish a monthly report to the Department of Justice, for all instances when a peace officer is involved in any of the following:

- An incident involving the shooting of a civilian by a peace officer
- An incident involving the shooting of a peace officer by a civilian
- An incident in which the use of force by a peace officer against a civilian results in serious bodily injury or death
- An incident in which use of force by a civilian against a peace officer results in serious bodily injury or death

Administration Services Bureau

Number of CCW's Processed

	Approved	Renewed	Denied
January to March	318	173	60
April to June	525	132	93
July to September	204	181	30
October to December	82	78	8
Total	1,129	564	191

Total active CCW's: 2,350

Sheriff's Office Hiring Process

- Application
- Written Test
- Physical Agility Test
- Oral Board Interview
- Pre-Background Screening
- Polygraph
- Background Investigation
- Executive Interview
- Psychological Examination
- Medical Examination
- Final Interview

Deputy Sheriff Recruit applications received:

2022 – 917

2023 – 965

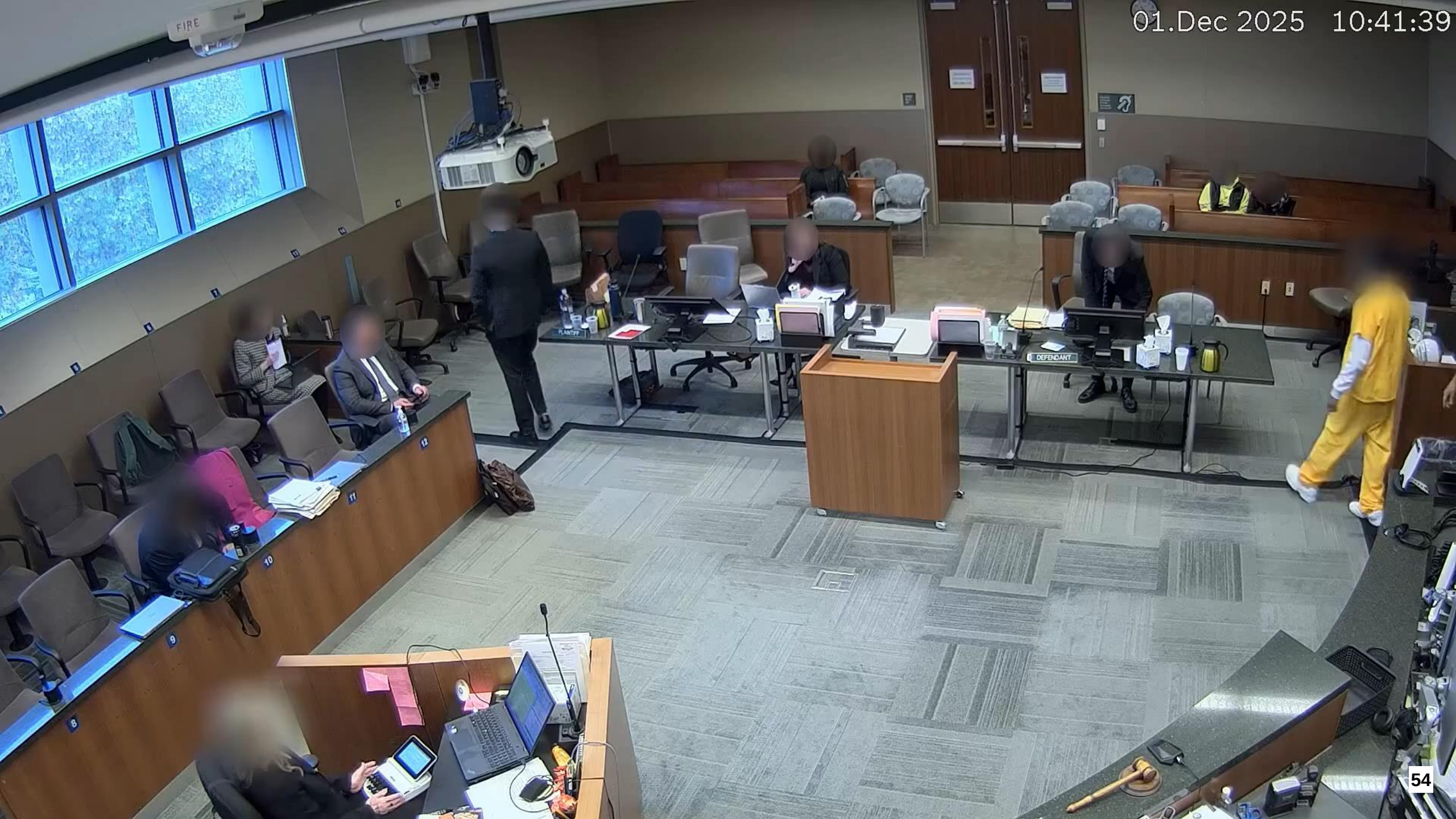
2024 – 1012

2025 – 1207

1,207 Deputy Recruits applied in 2025, 84 were selected for hire, a 7% acceptance rate.

2025 Shop With A Sheriff

Due to the generous donations from Macy's in Walnut Creek, Rodeo Municipal Advisory Council (MAC), Phillips 66, Deputy Sheriff's Association, Kendra Scott, and Sheriff's Charities, our annual Shop With a Sheriff event was held on December 9th. Gifts were purchased for over 75 children and 40 adults and each family received a $100 grocery gift card.

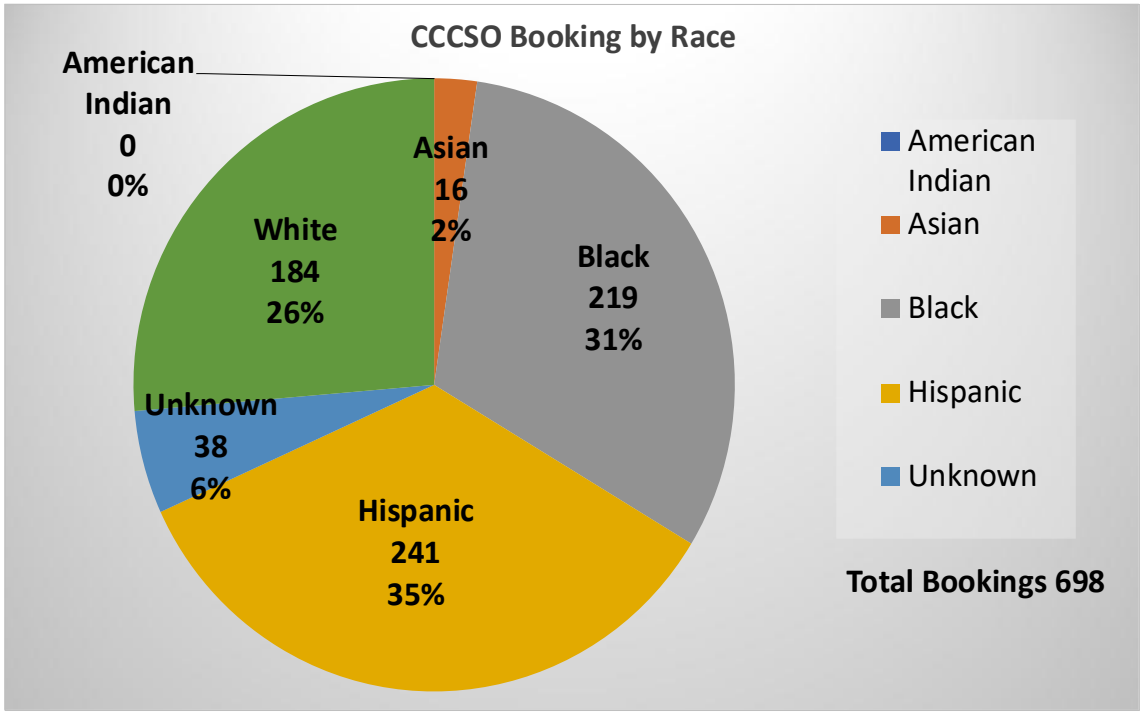

01.Dec 2025 10:41:39
FIRE
PLAINTIFF
DEFENDANT
54

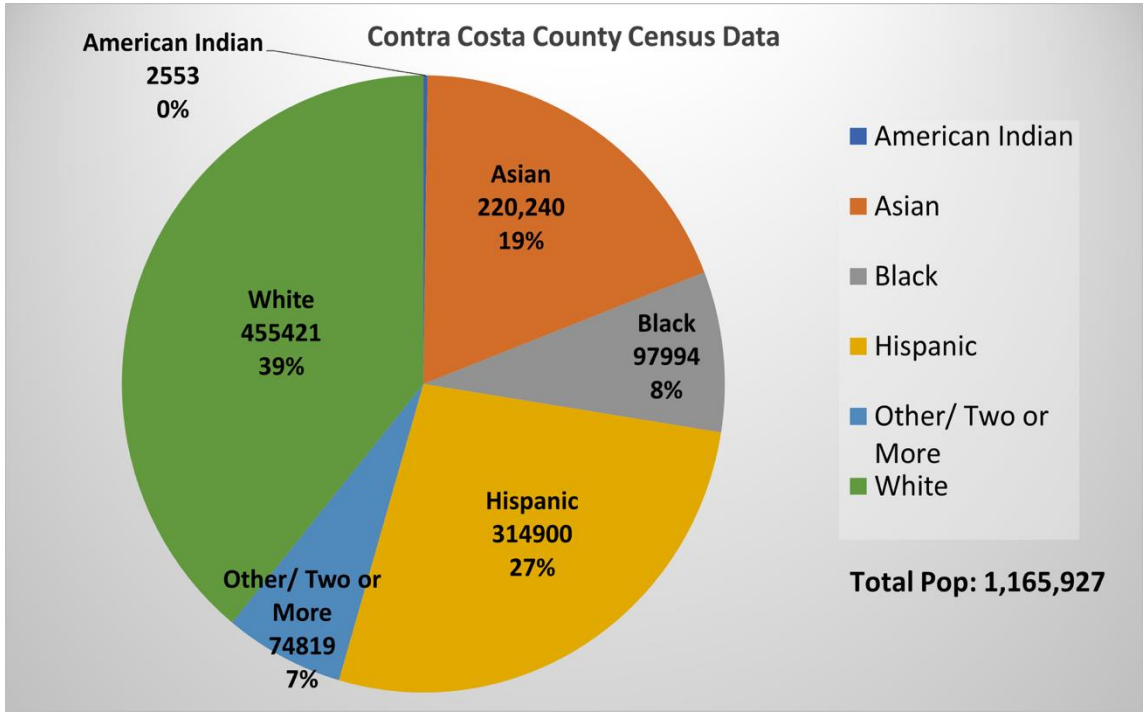
2025-11-06 04:23:44 -0800
AXON BODY 3 X60AA634U

Oversight Report Concluded

****Appendices follow which include booking data for cities, census data & arrestee city of residence****

Persons Arrested/Booked & Census Data

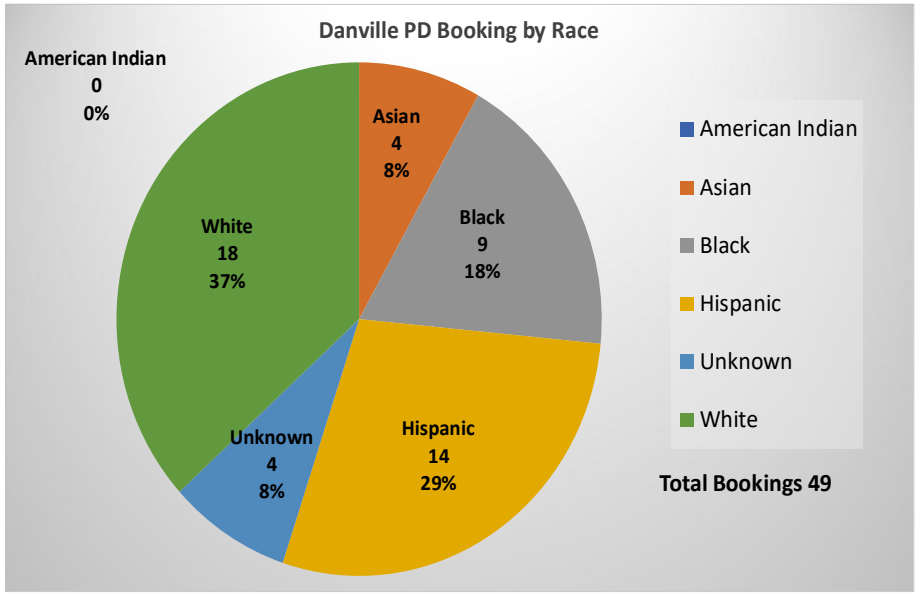


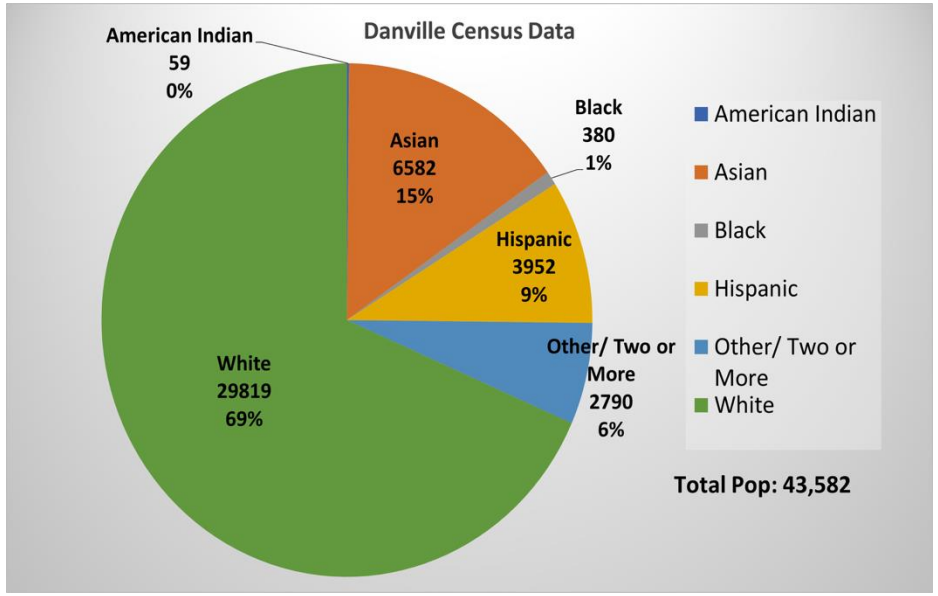


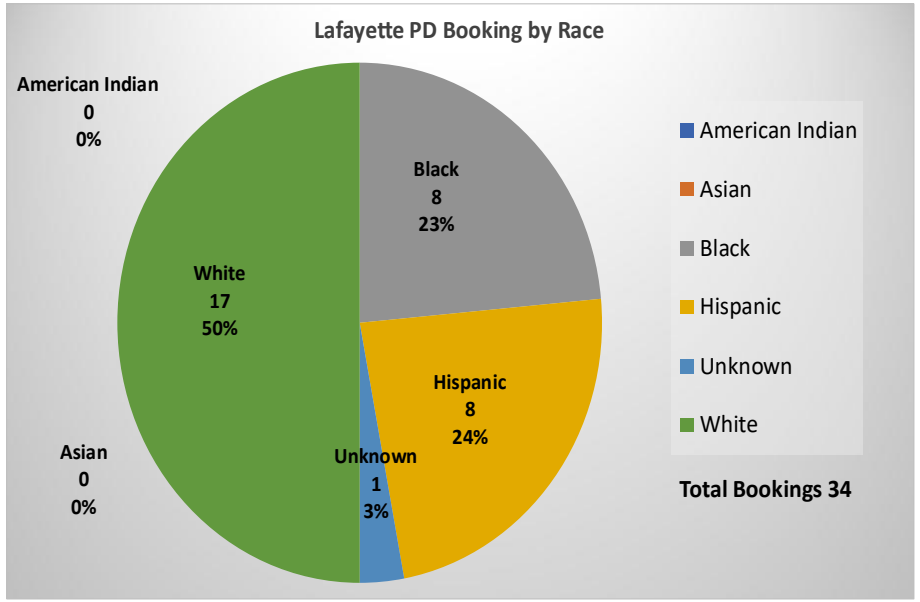
*Sheriff's Office bookings include Court Remands and Removal Orders from State Prison

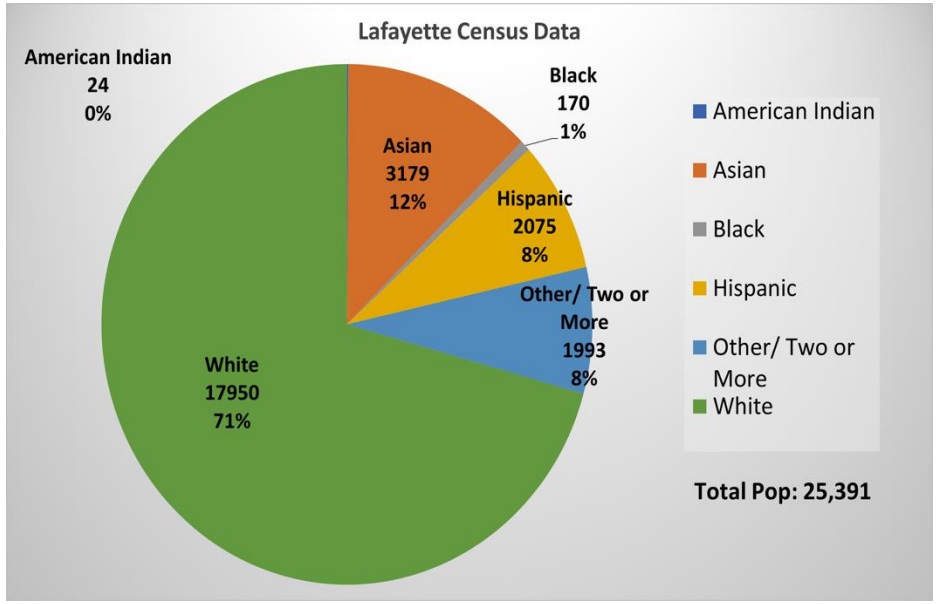
Census Data: https://www.contracosta.ca.gov/DocumentCenter/View/72110/Contra-Costa-County-Places-Data-Profiles---2020-Redistricting-Data-PDF

Persons Arrested/Booked & Census Data

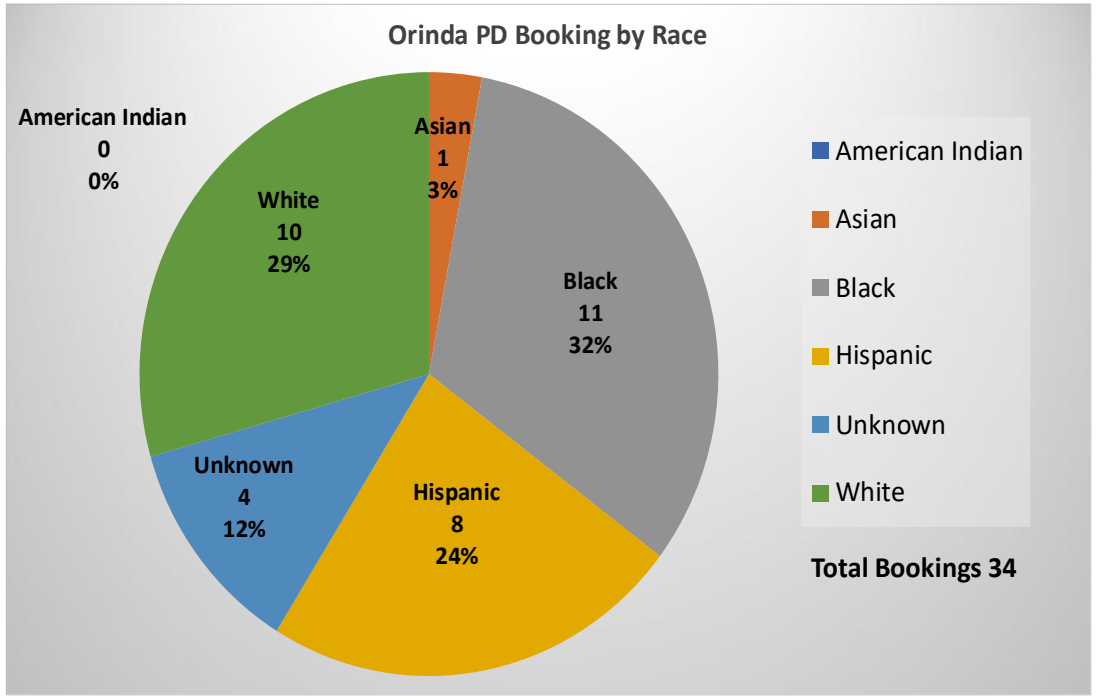


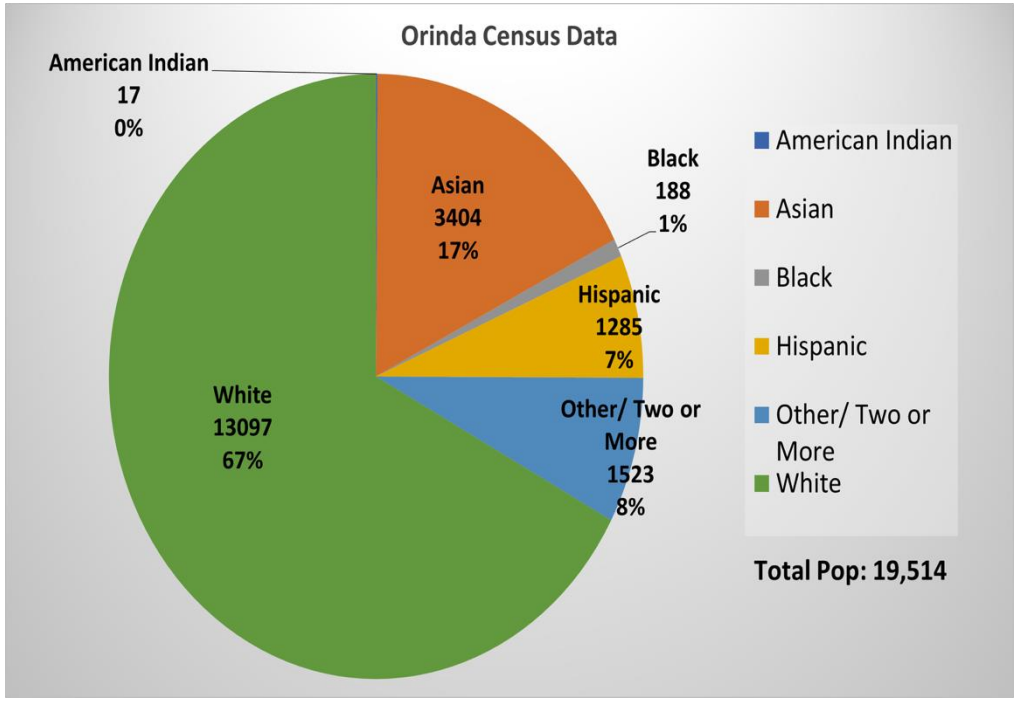




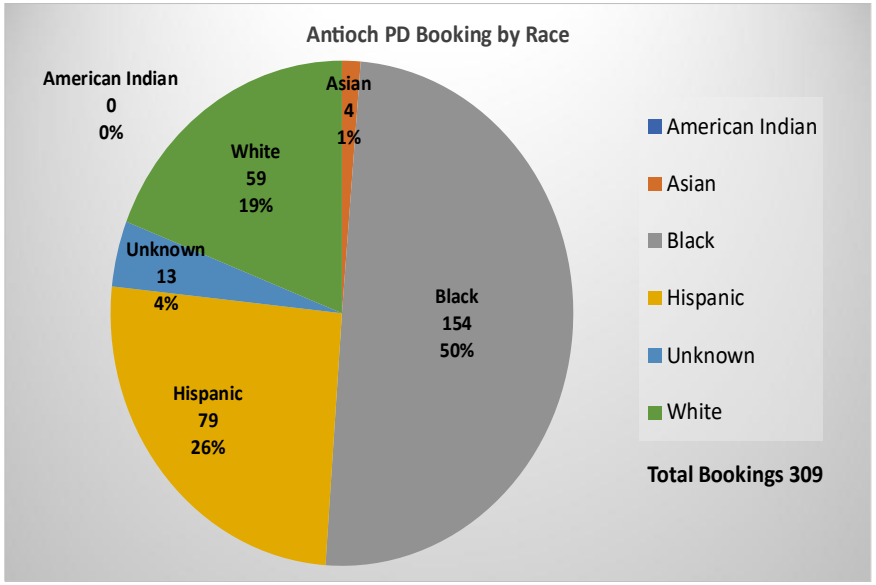


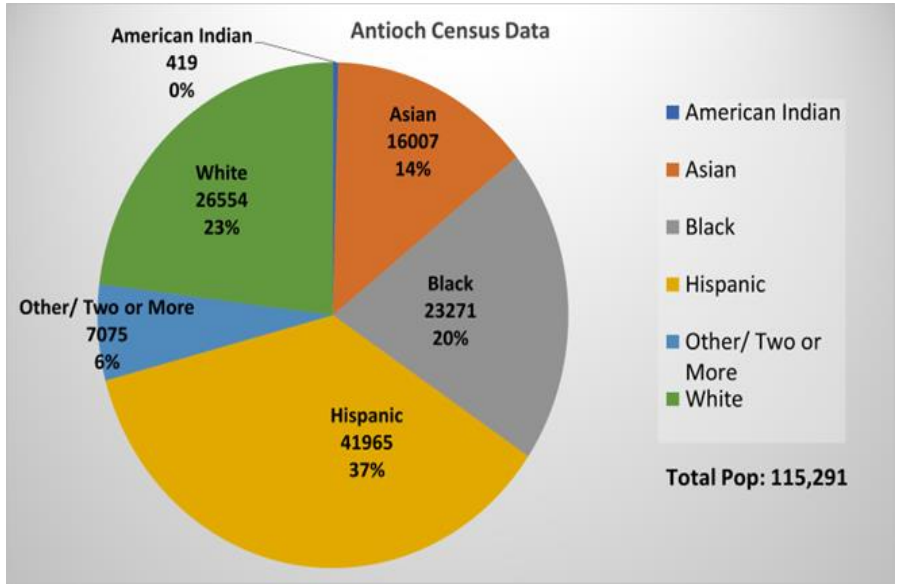
Persons Arrested/Booked & Census Data

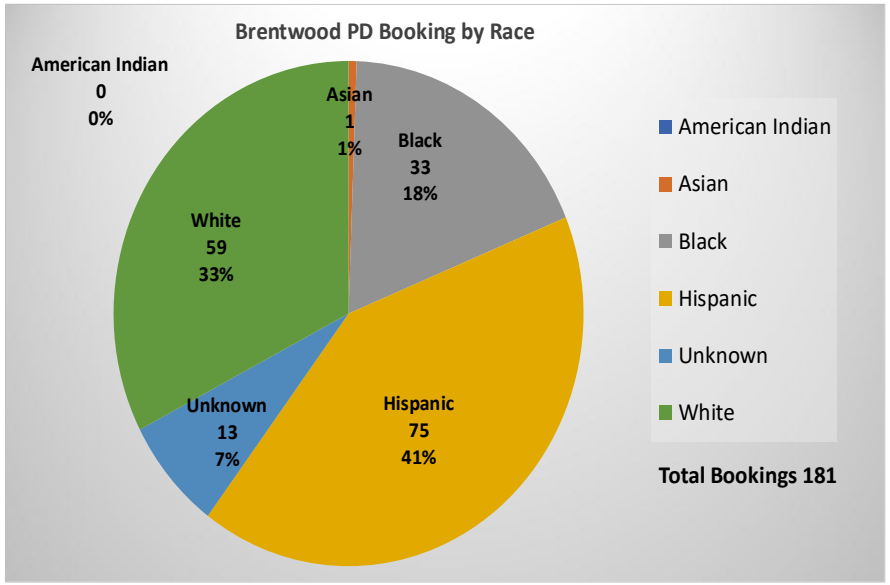


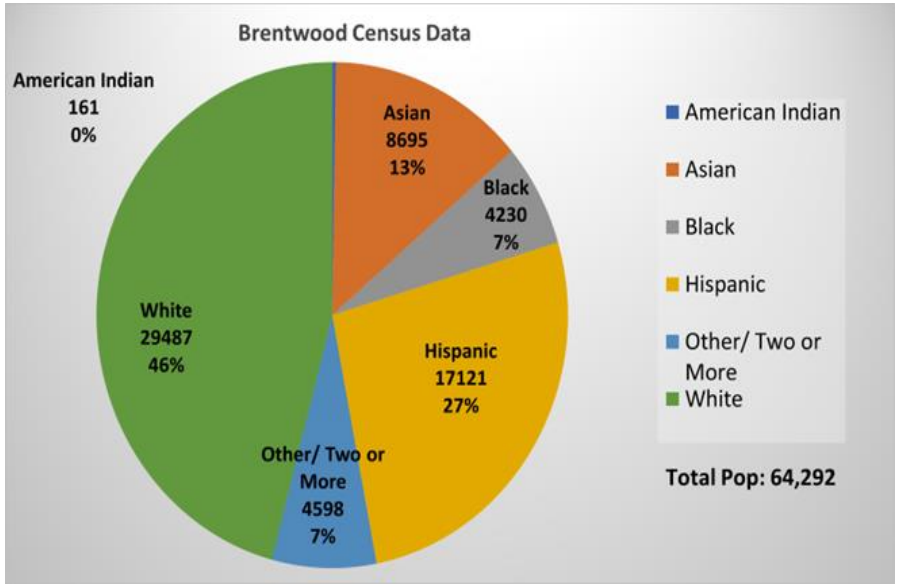


Persons Arrested/Booked & Census Data

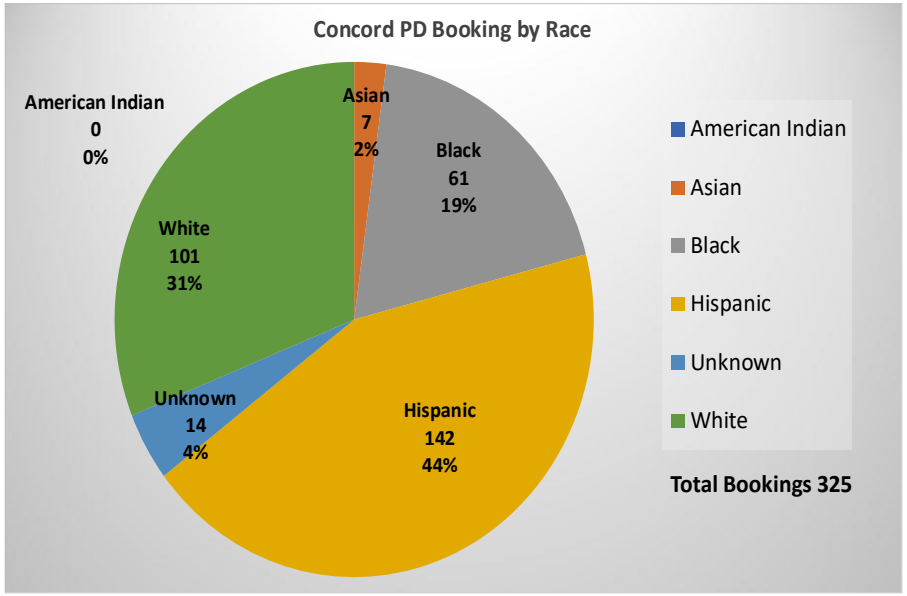


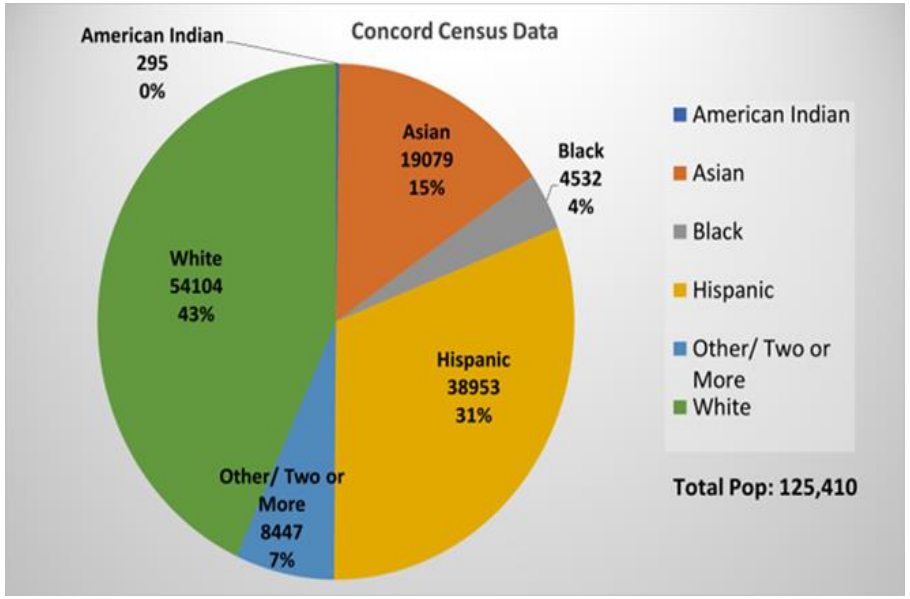


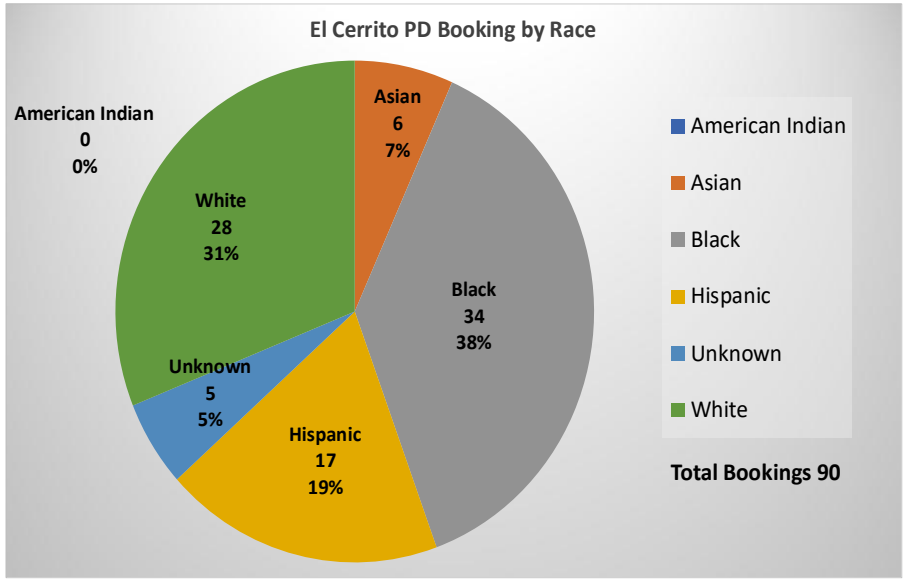


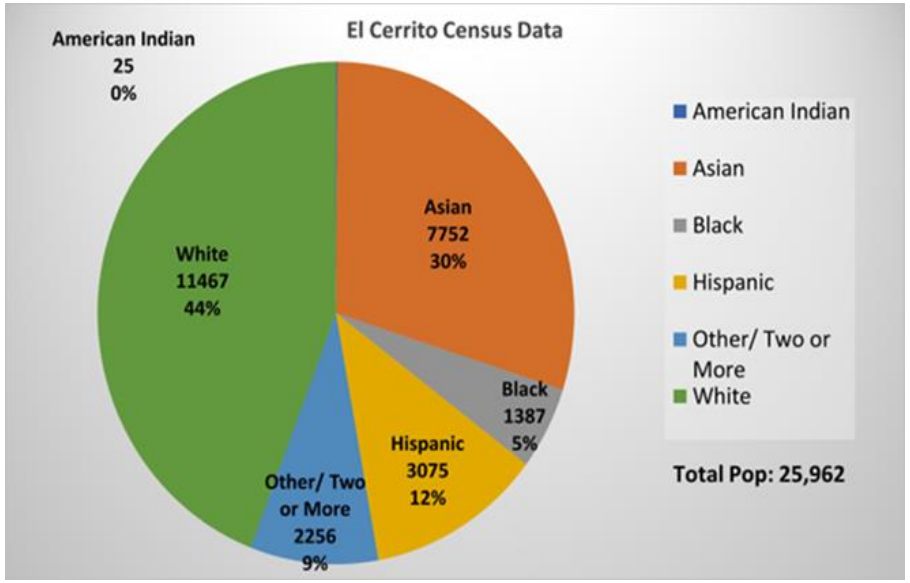


Persons Arrested/Booked & Census Data









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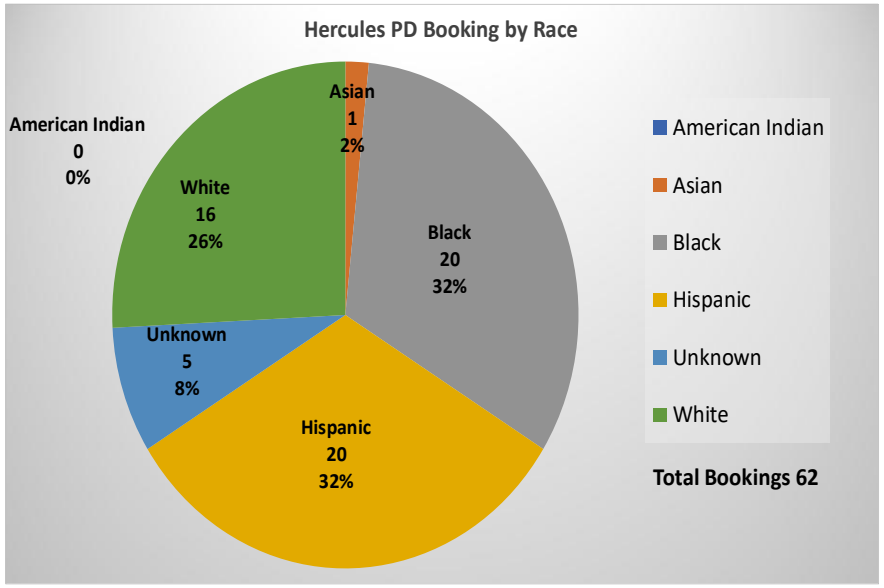

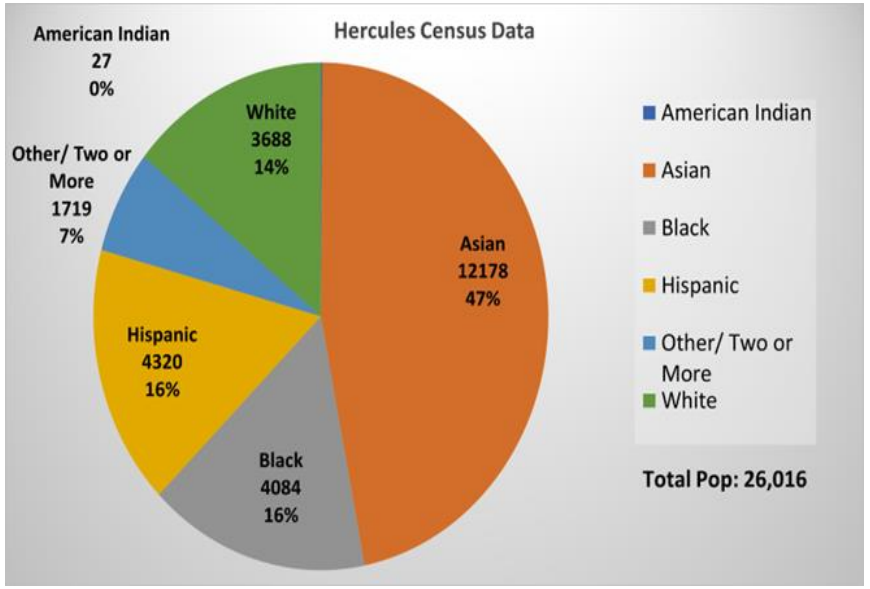

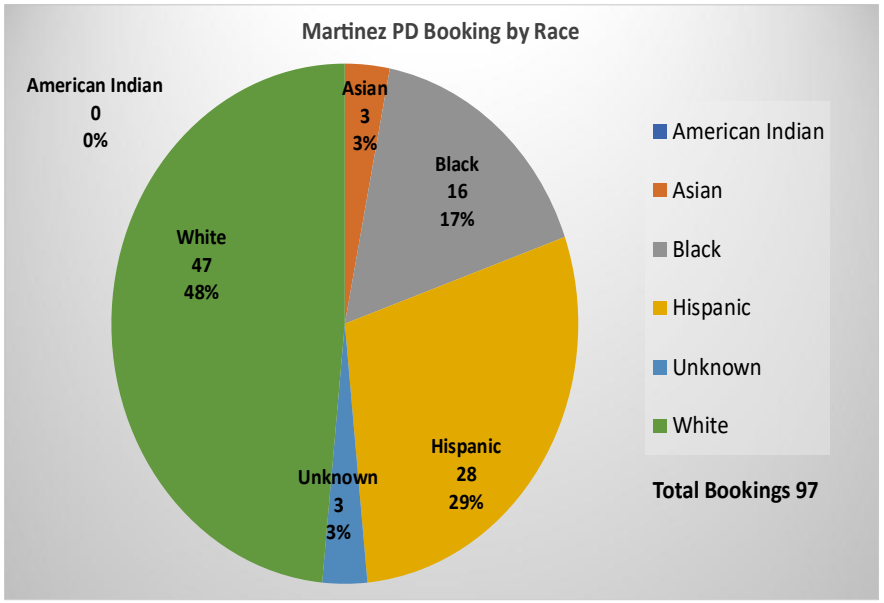

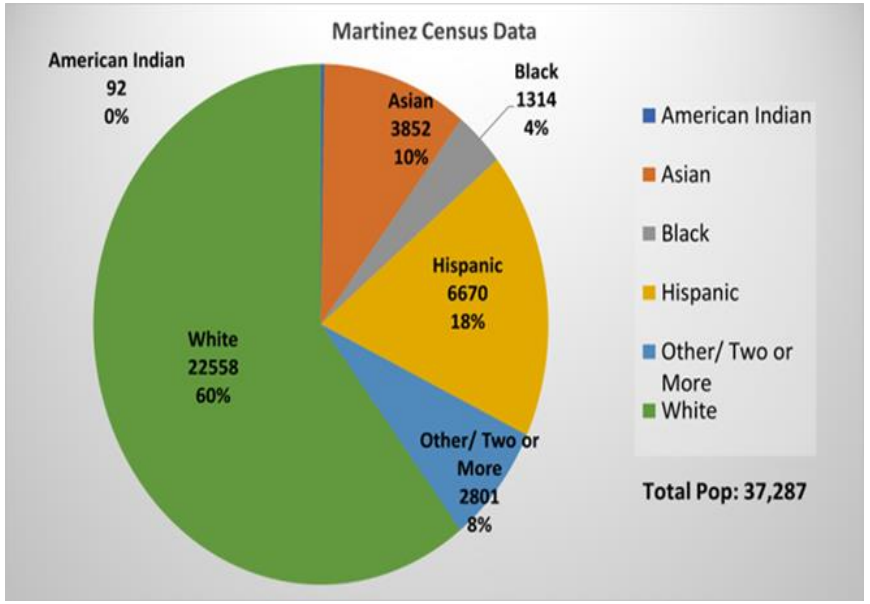

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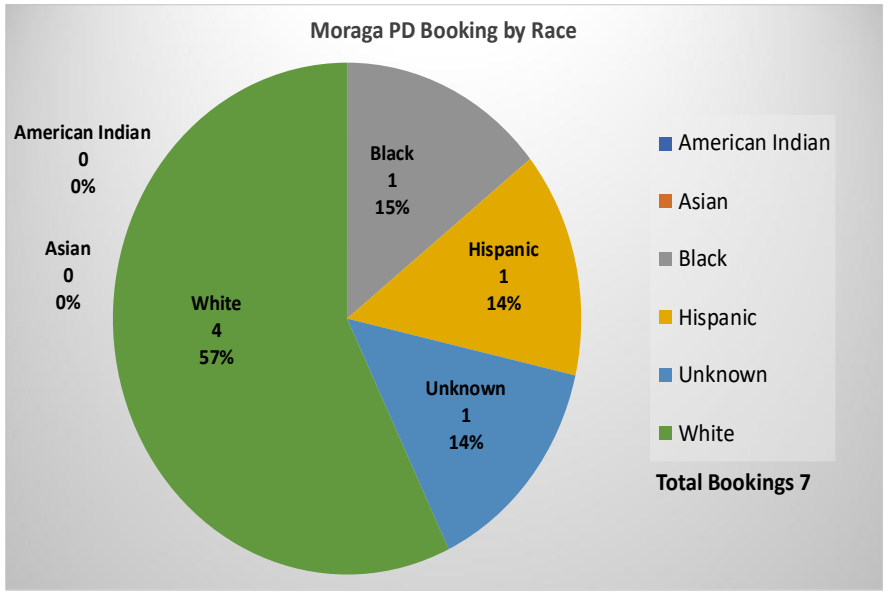

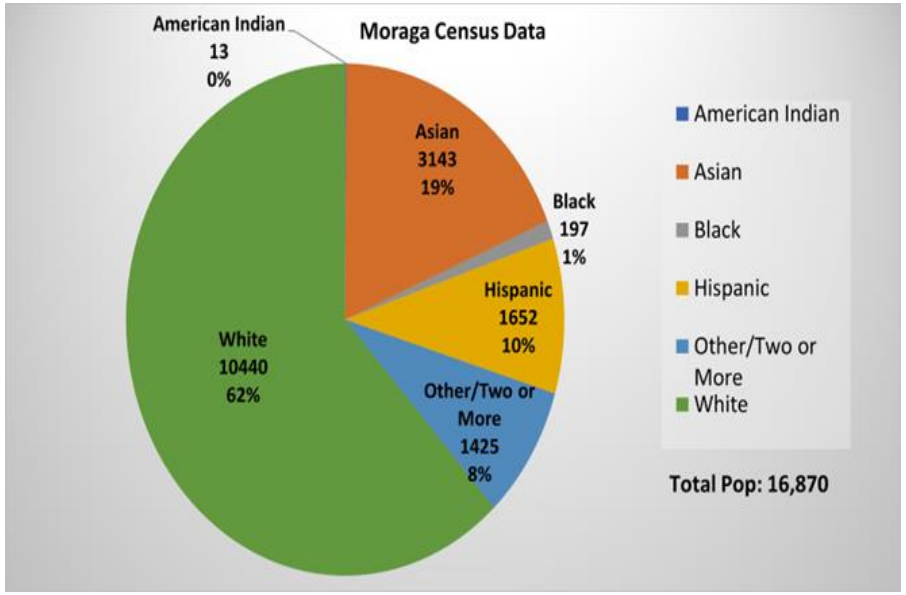

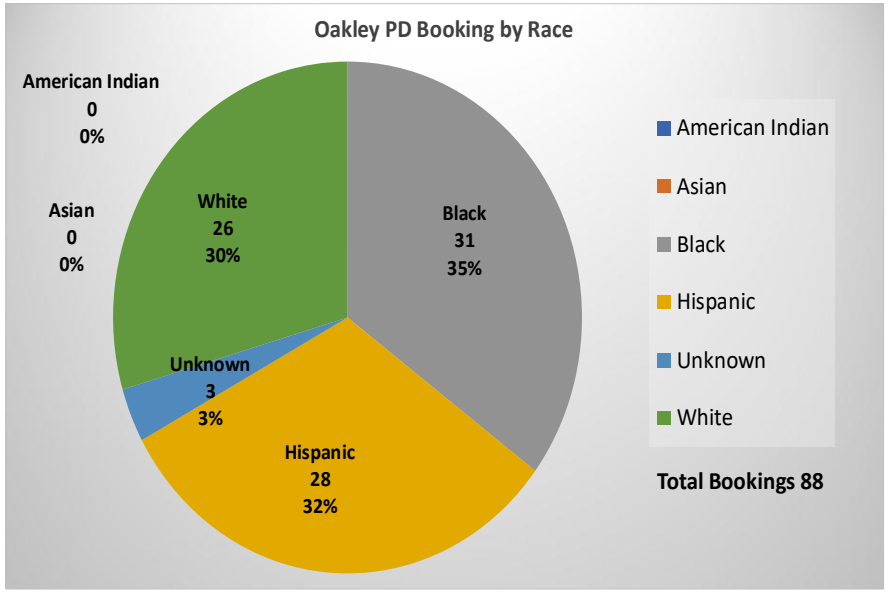

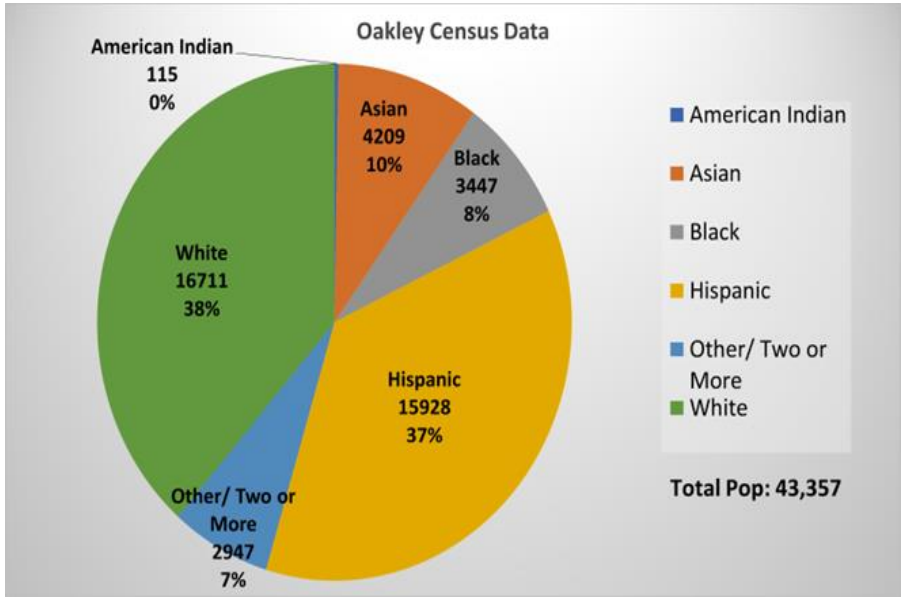

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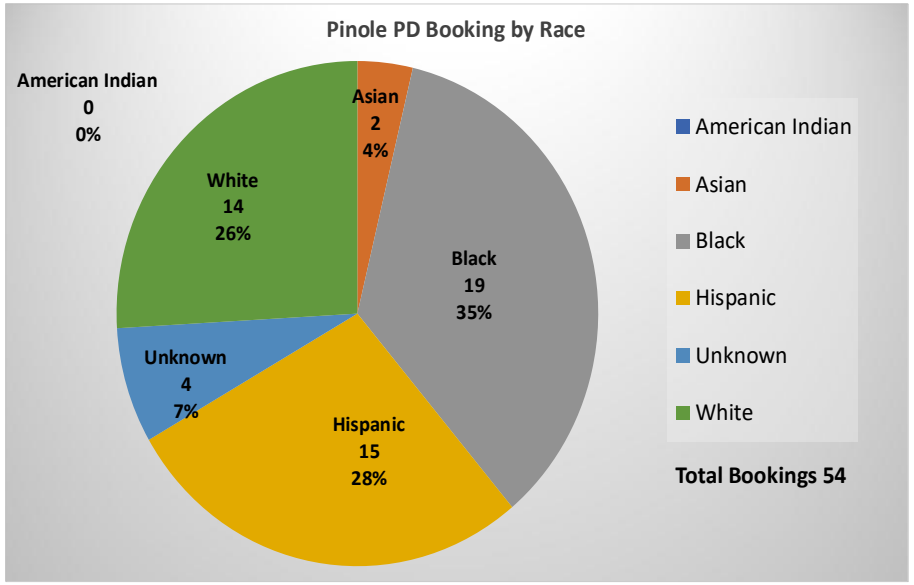

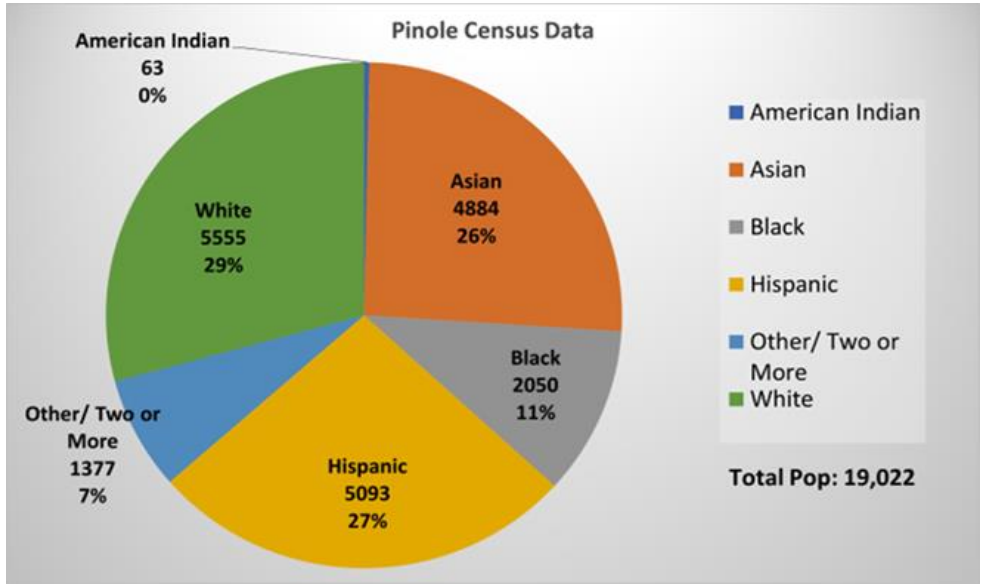

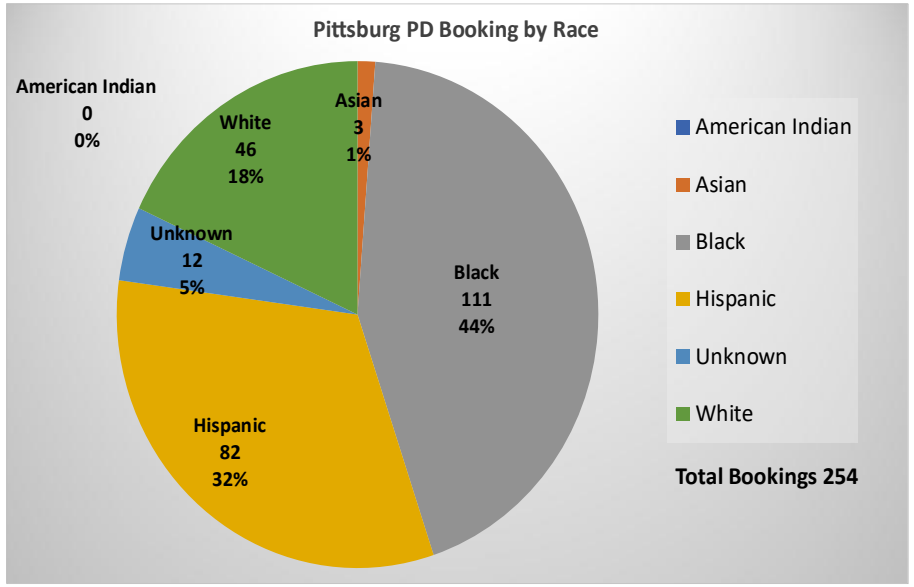

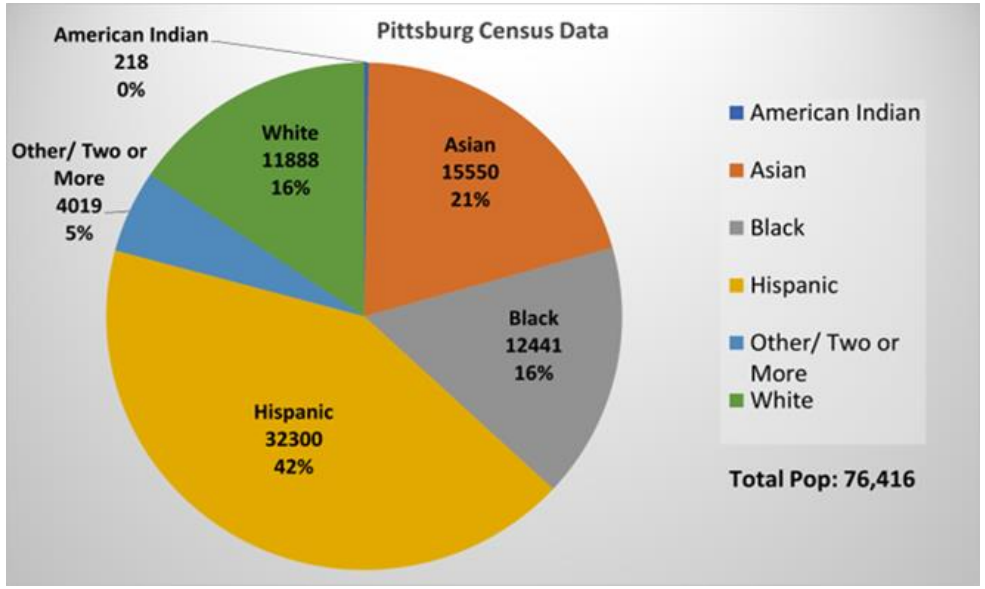

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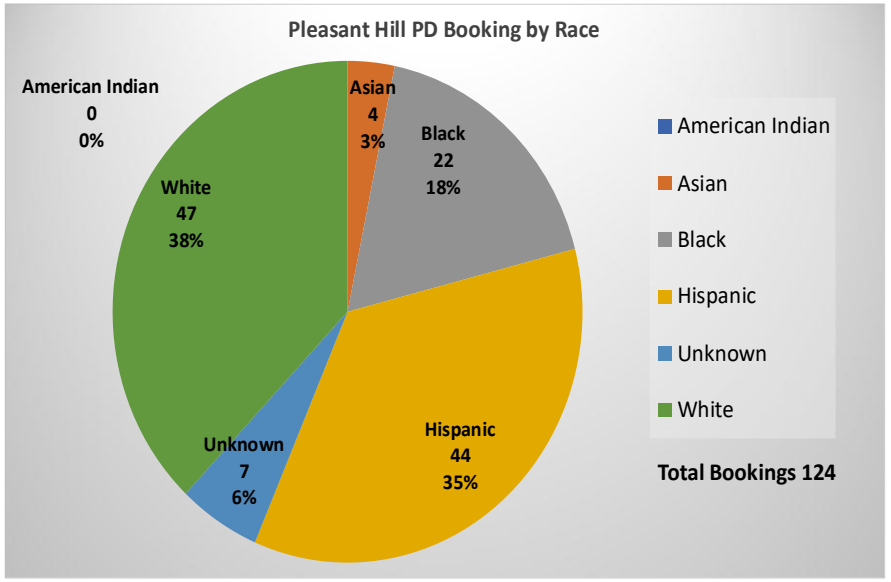

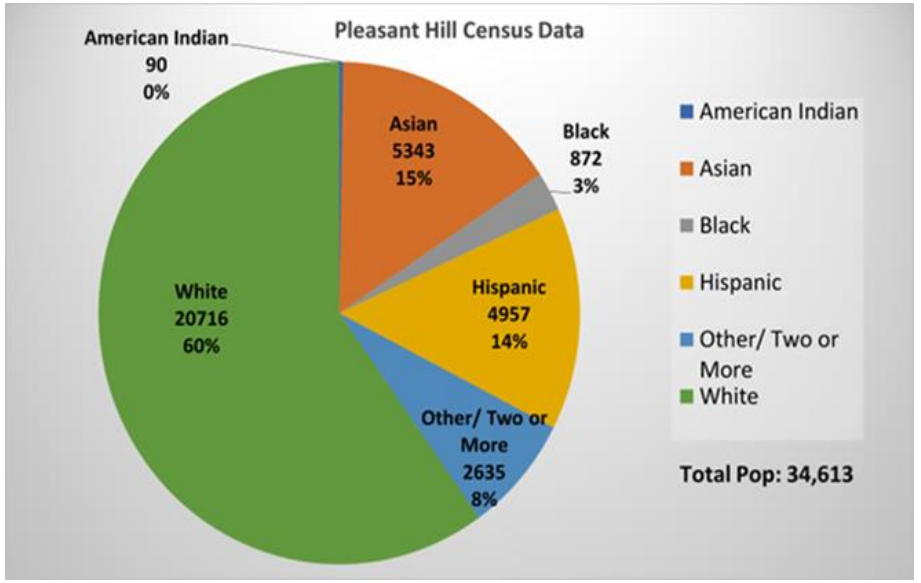

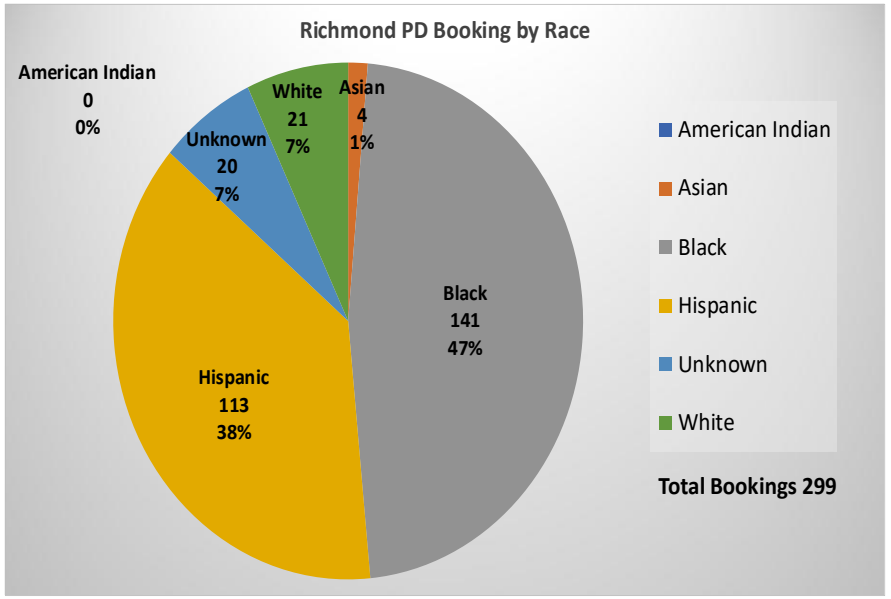

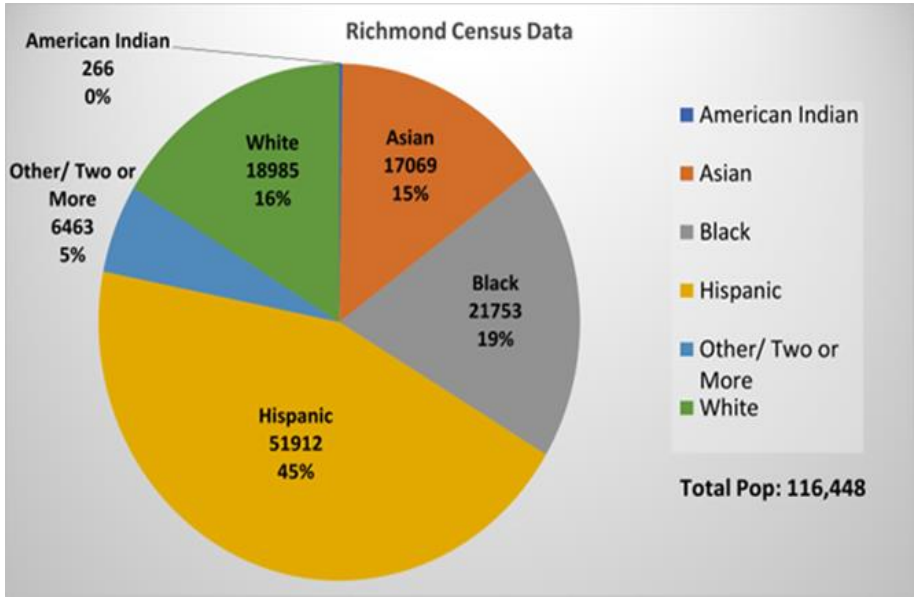

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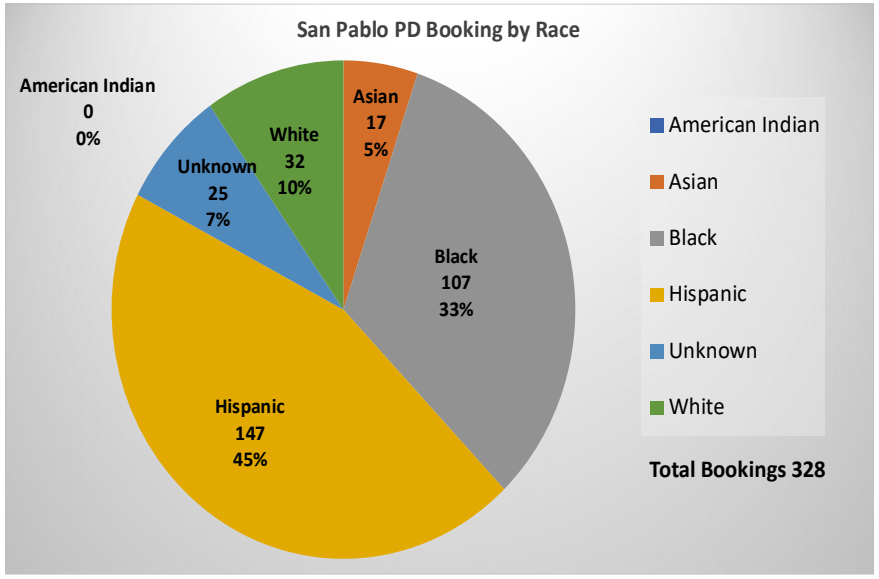

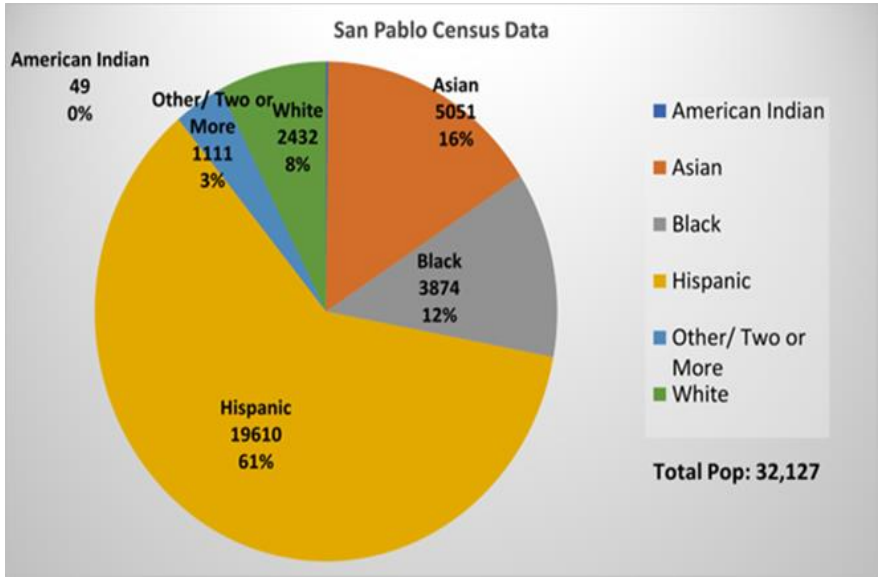

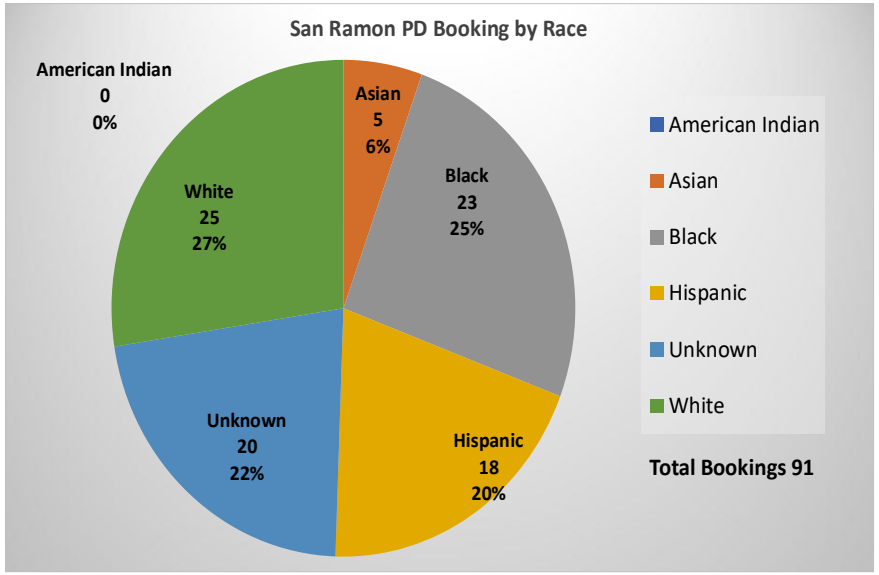

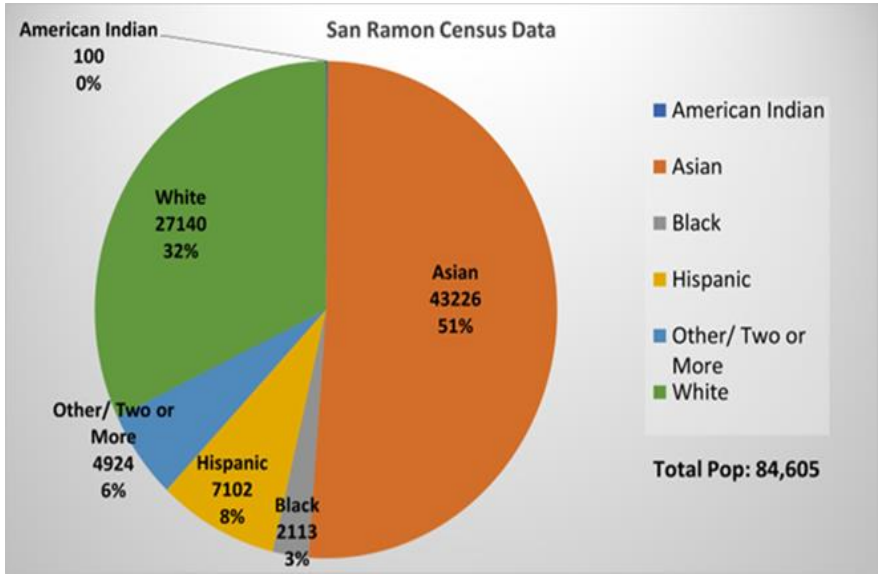

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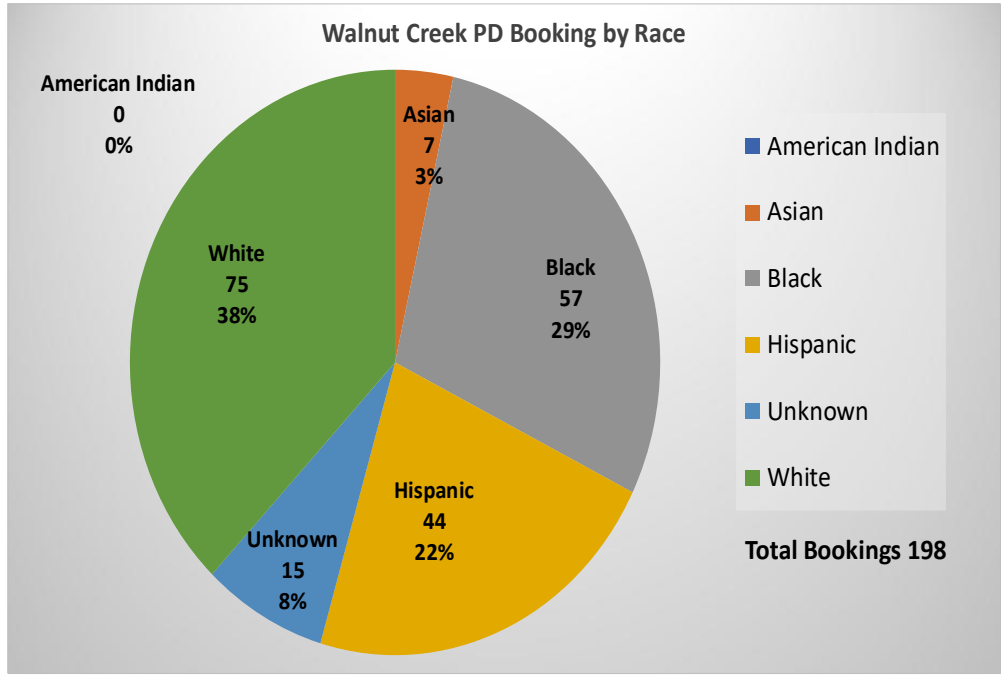
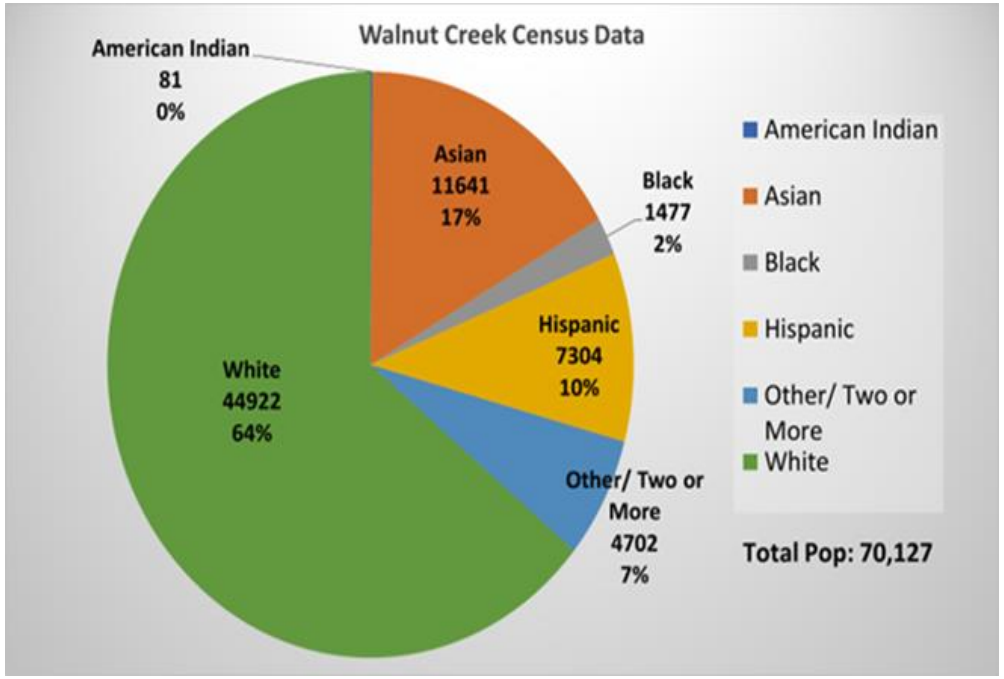
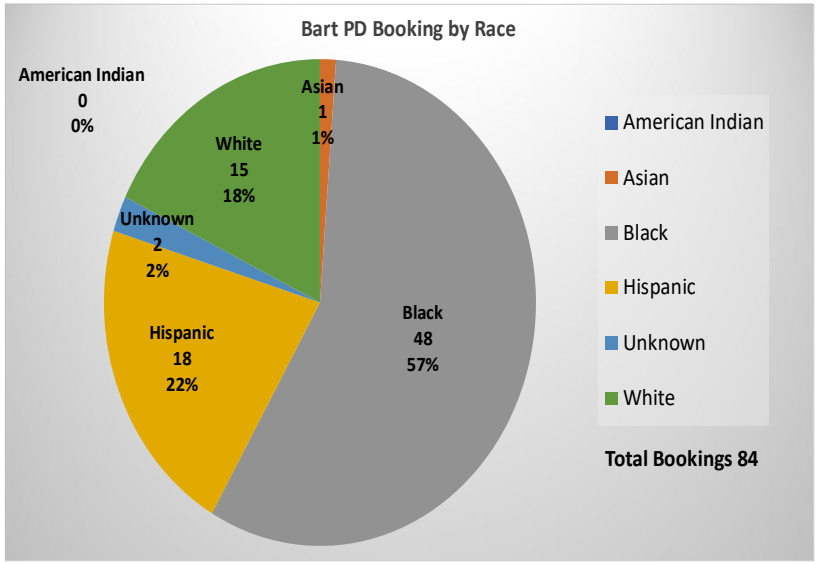
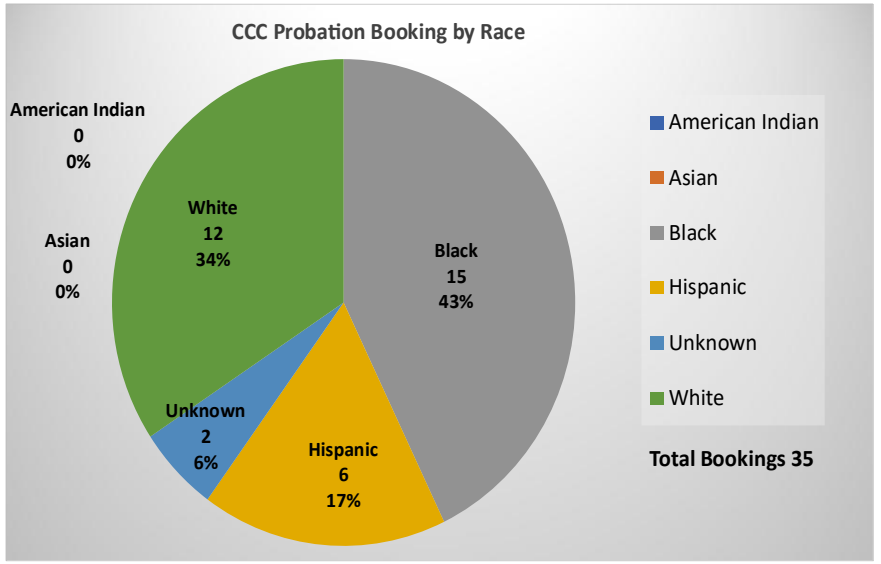


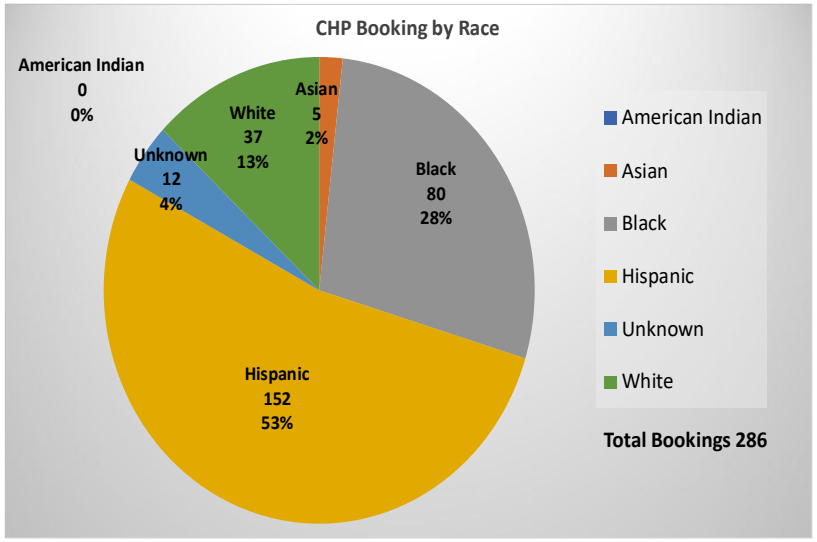


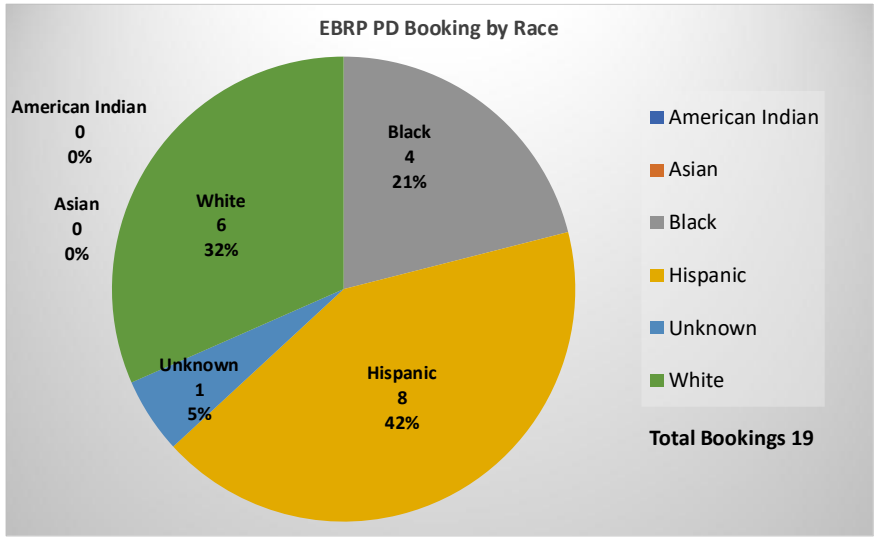
Agencies with less than 10 arrests are not listed in the pie charts

Persons Arrested/Booked & Census Data









These agencies do not have corresponding census data

Custody Services Bureau

Total Number of Bookings by Agency

Agency	January to March 2025	April to June 2025	July to Sept 2025	Oct to Dec 2025	2025
Office of the Sheriff	606	747	834	698	2,885
Office of the Sheriff – CAF	517	565	510	484	2,076
Antioch PD	295	325	361	309	1,290
BART PD	92	122	91	84	389
Brentwood PD	228	198	213	181	820
CHP Martinez	240	240	269	252	1,001
Clayton PD	14	12	2	9	37
Concord PD	386	406	357	325	1,474
Danville PD	35	33	58	49	175
East Bay Regional Park Police	18	14	25	19	76
El Cerrito PD	74	77	88	90	329
Hercules PD	66	58	61	62	247
Kensington PD	7	9	3	4	23

Custody Services Bureau

Total Number of Bookings by Agency

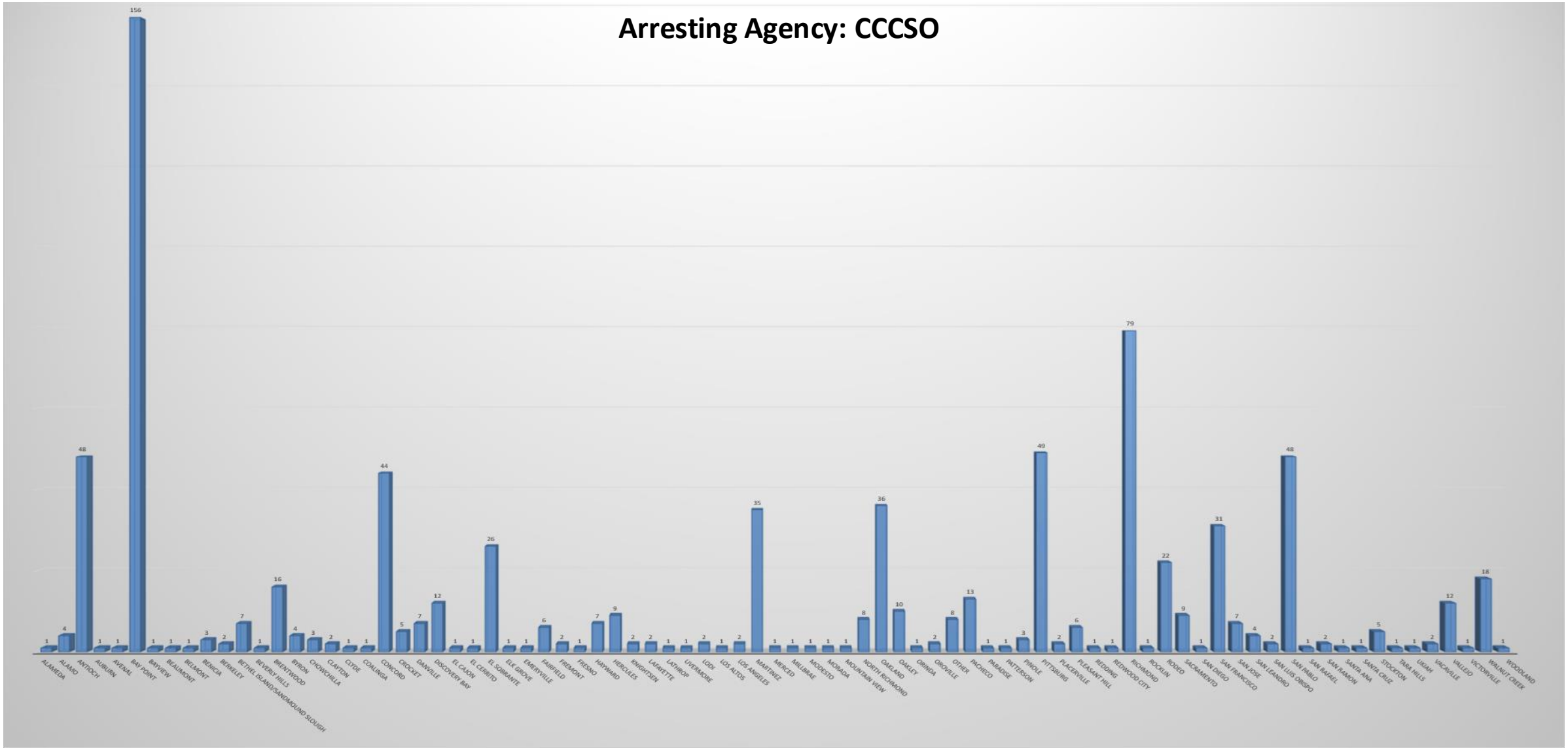
Agency	January to March 2025	April to June 2025	July to Sept 2025	Oct to Dec 2025	2025
Lafayette PD	50	54	62	34	200
Martinez PD	101	115	107	97	420
Moraga PD	8	14	11	7	40
Oakley PD	101	84	86	88	359
Orinda PD	59	48	60	34	201
Pinole PD	59	59	52	54	224
Pittsburg PD	243	261	255	254	1,013
Pleasant Hill PD	126	110	126	124	486
Richmond PD	345	325	294	299	1,263
San Pablo PD	304	286	320	328	1,238
San Ramon PD	103	91	103	91	388
Walnut Creek PD	236	209	208	198	851

Custody Services Bureau

Total Number of Bookings by Agency

Agency	January to March 2025	April to June 2025	July to Sept 2025	Oct to Dec 2025	2025
Amtrak Police	2	2	2	1	7
CCC College Police	6	2	2	2	12
Contra Costa DA	0	2	0	0	2
Contra Costa Probation	27	29	25	35	116
CHP Oakland and Solano	45	34	48	34	161
Fire Inspector	3	2	2	0	7
Other (Non-county)	8	10	7	20	45
State Agencies (Other)	2	5	2	6	15
State Parole	12	16	13	19	60
US Marshal	19	12	5	13	49
Total	**4,437**	**4,576**	**4,662**	**4,304**	**17,979**

Arrest Data by City of Residence



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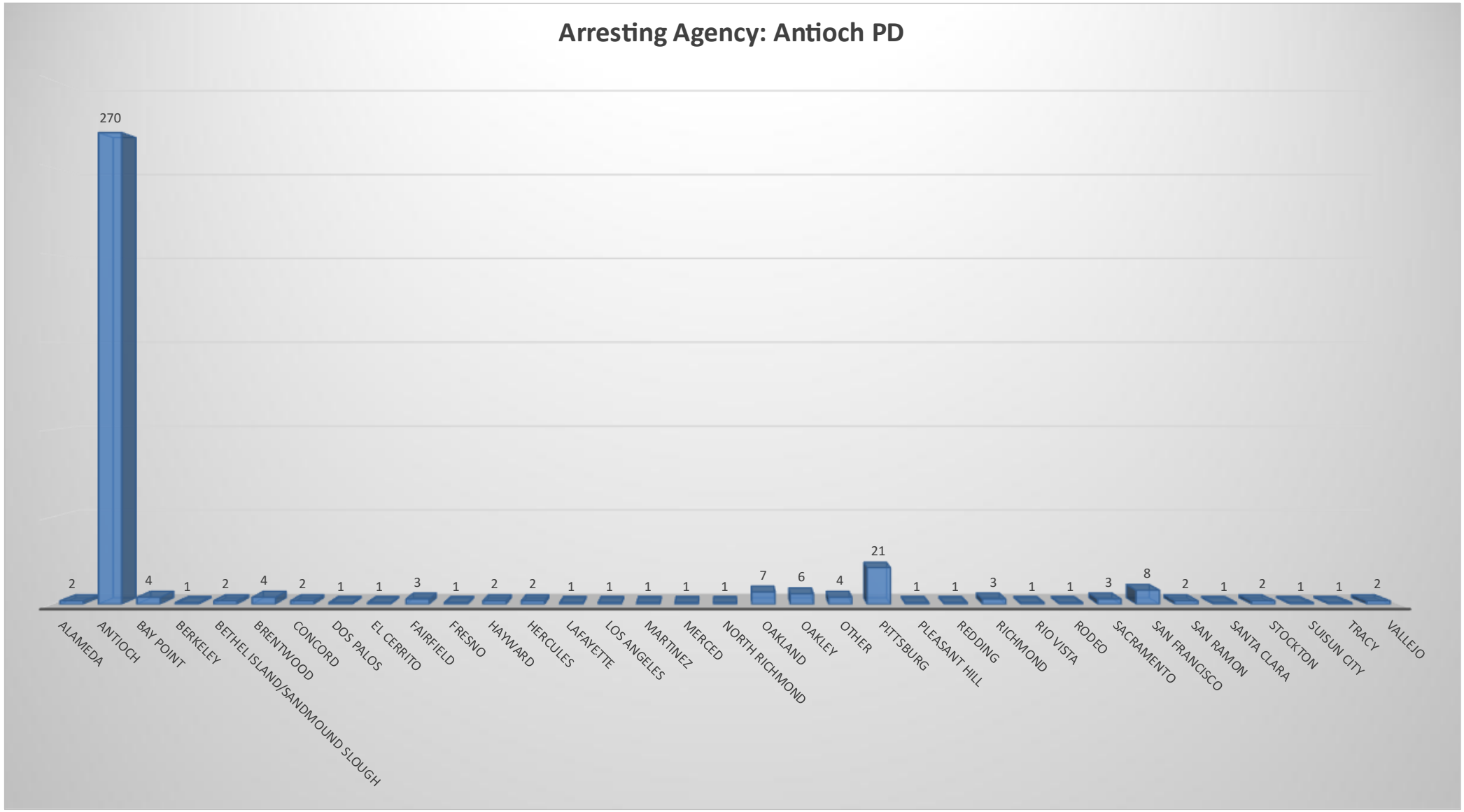

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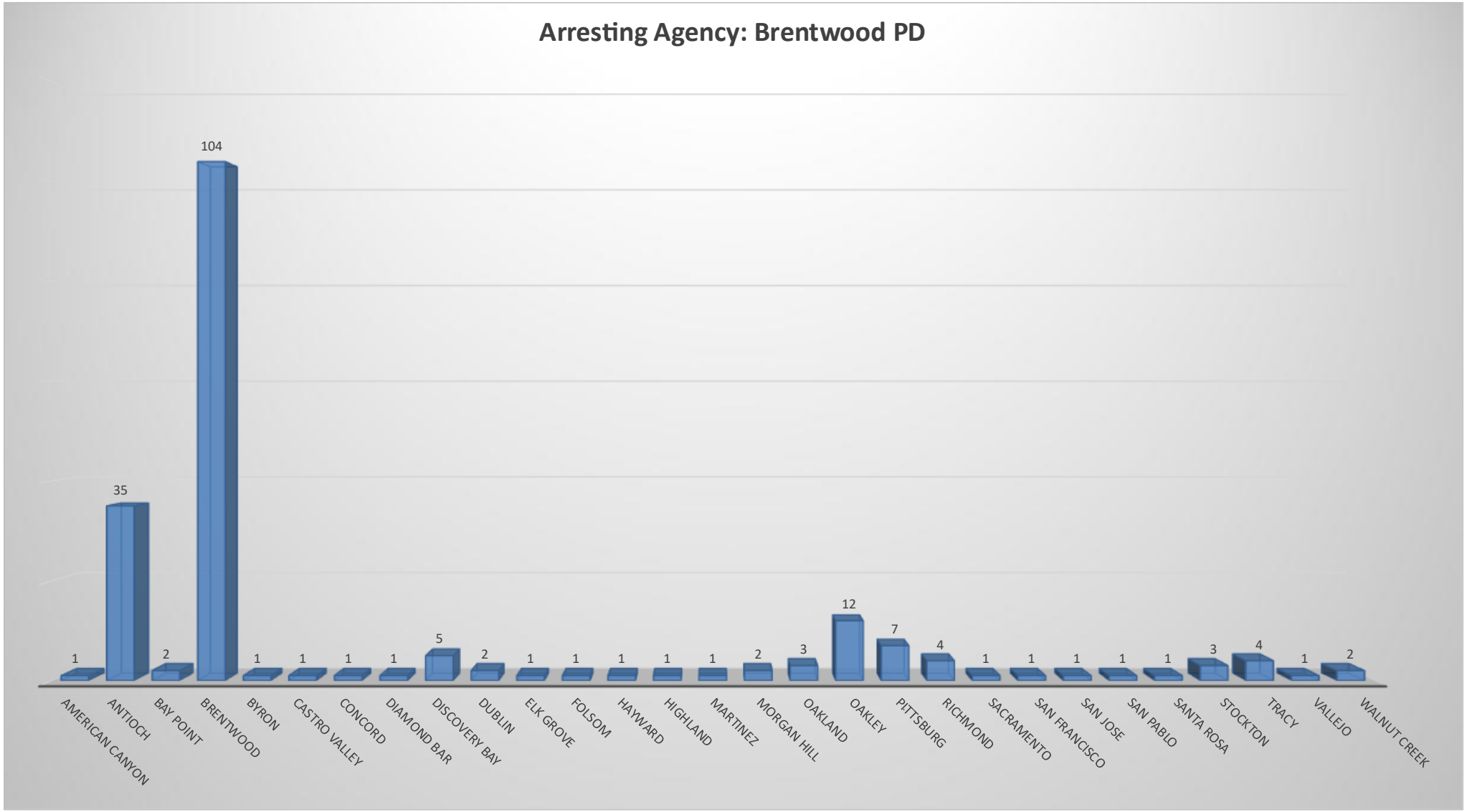

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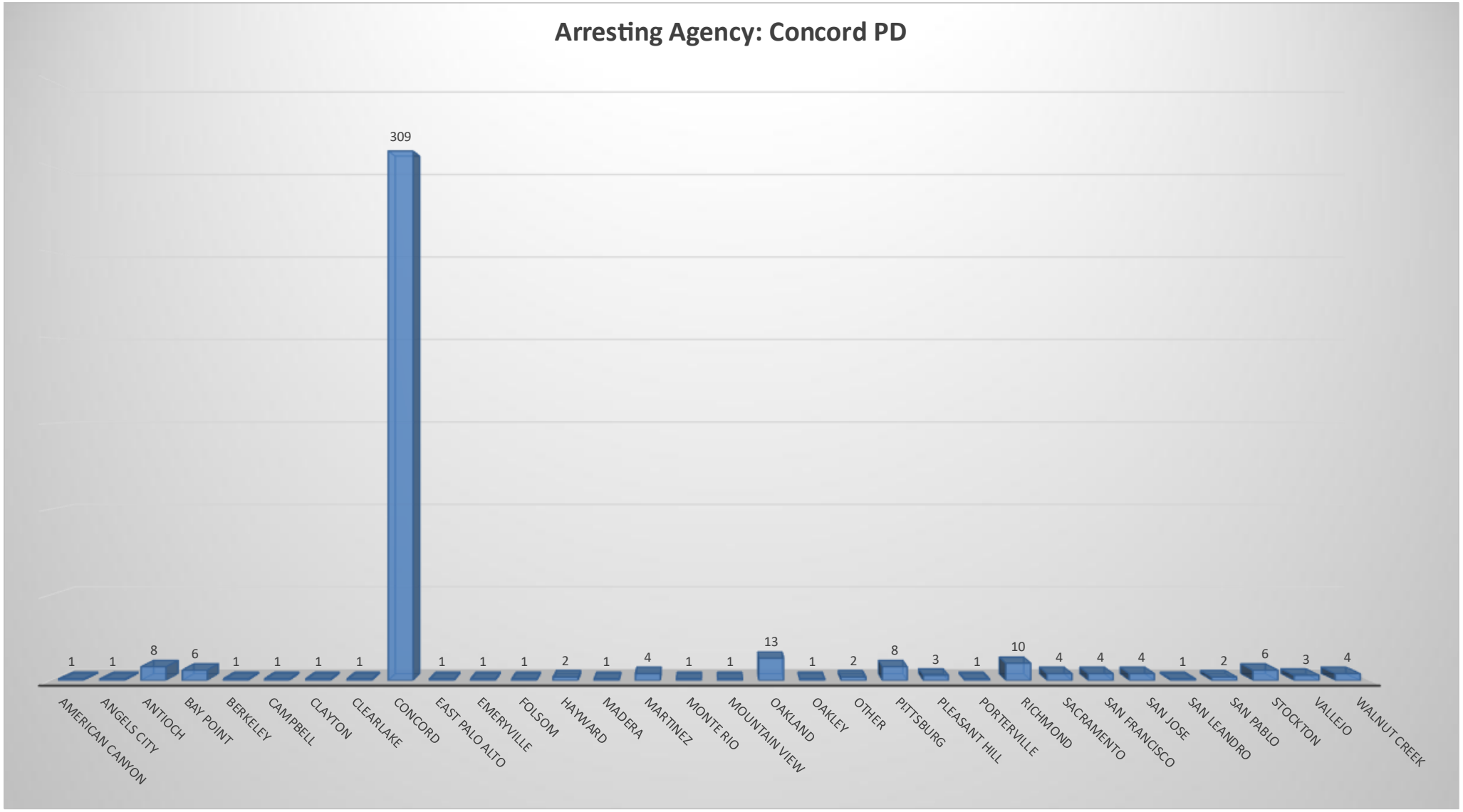

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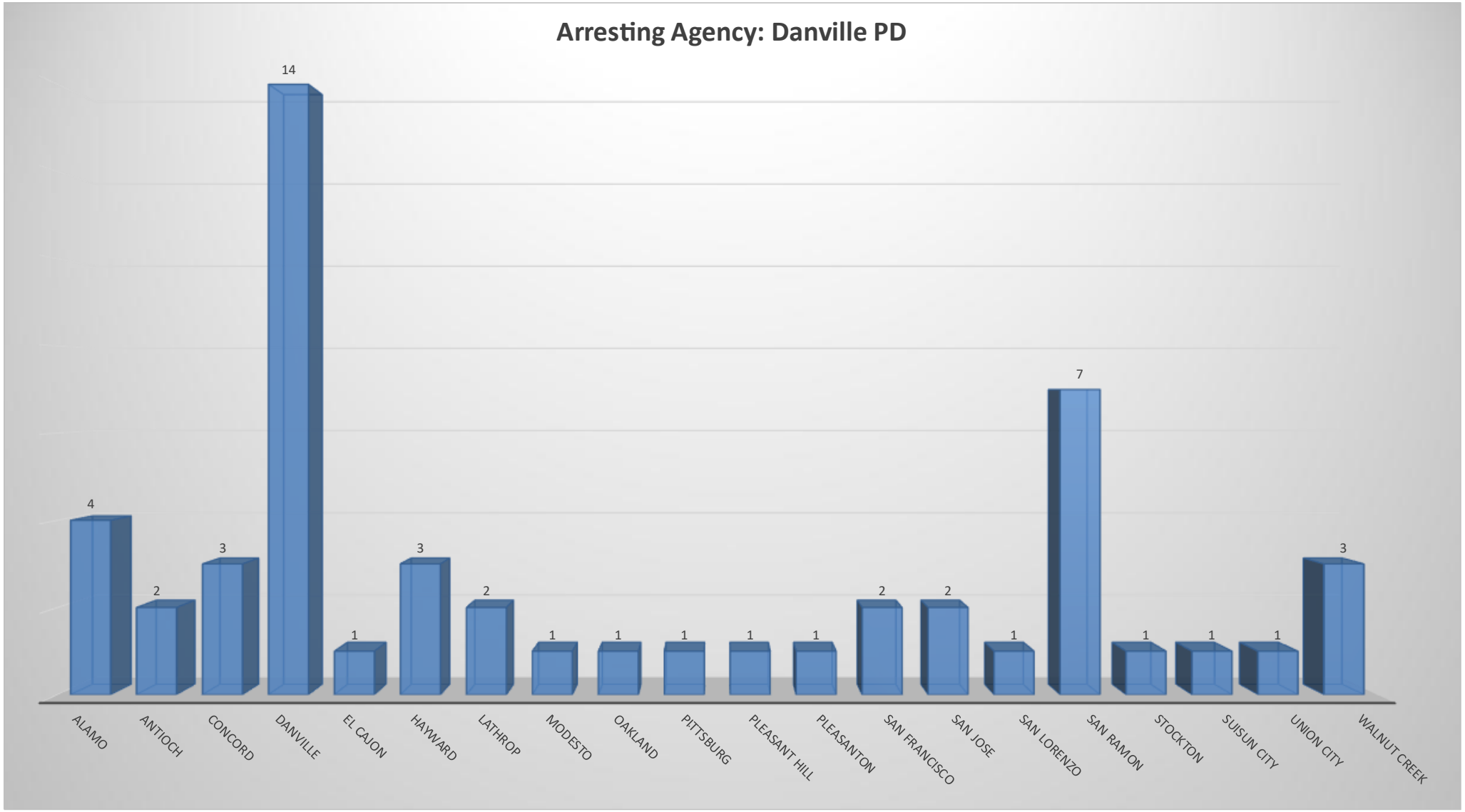

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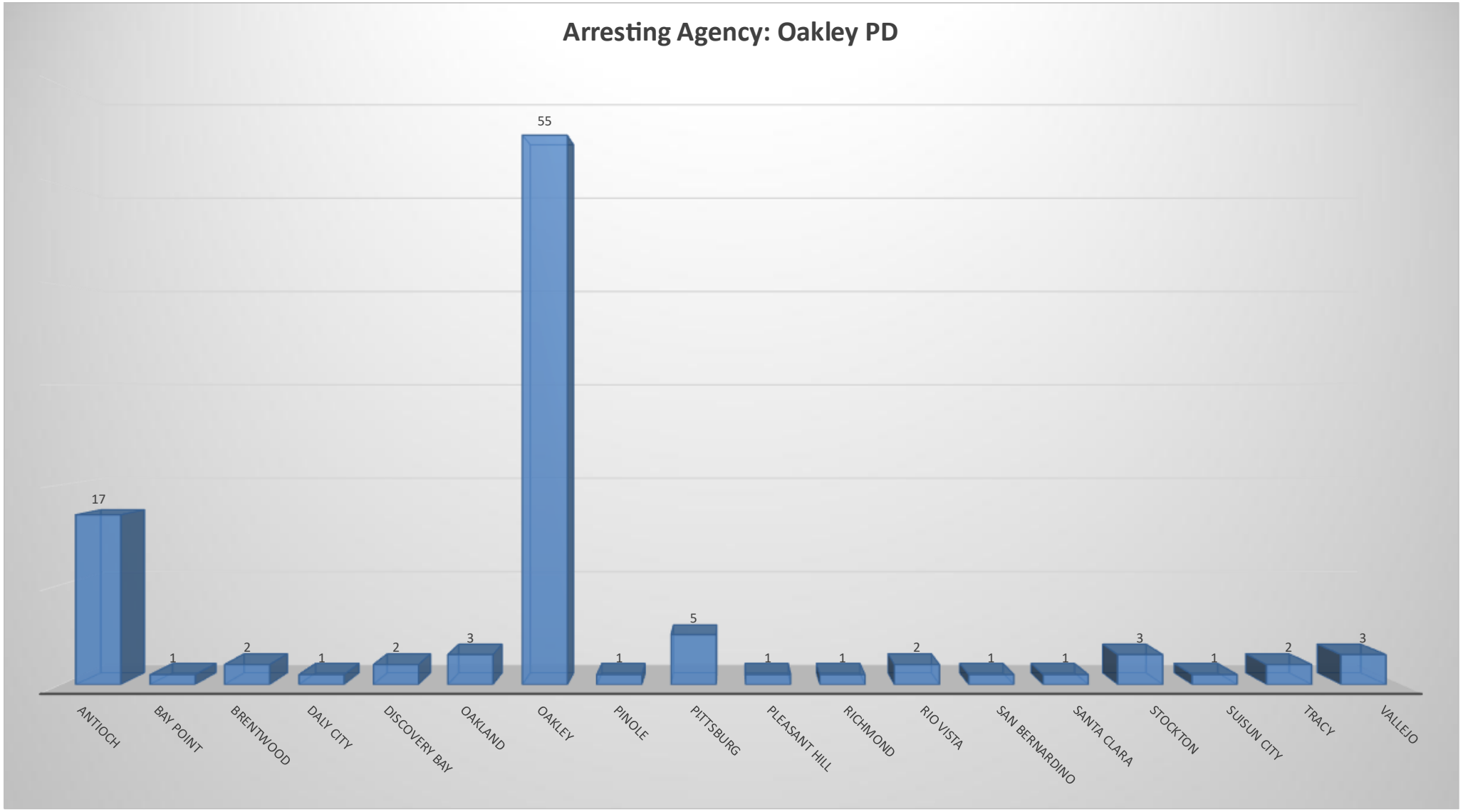

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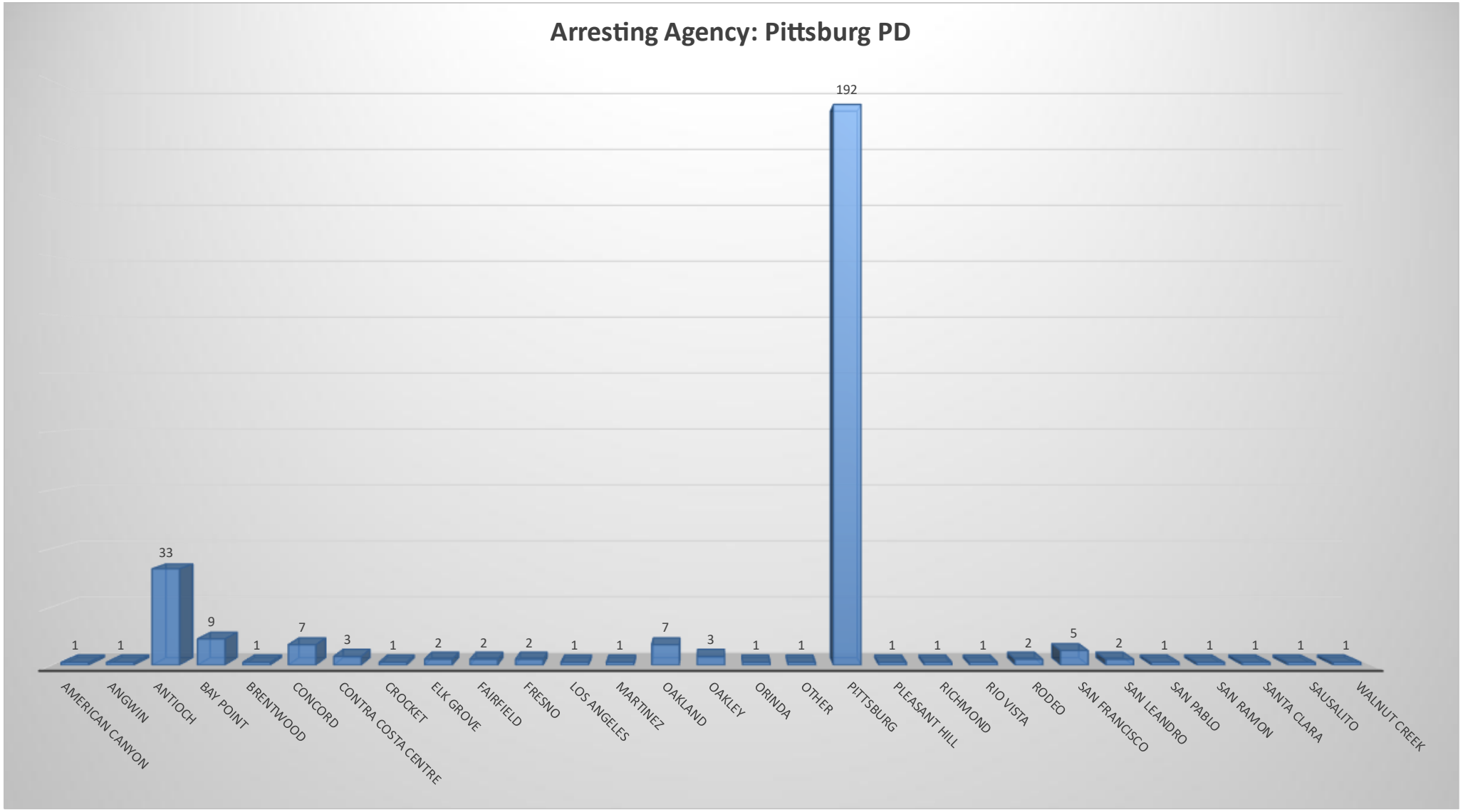

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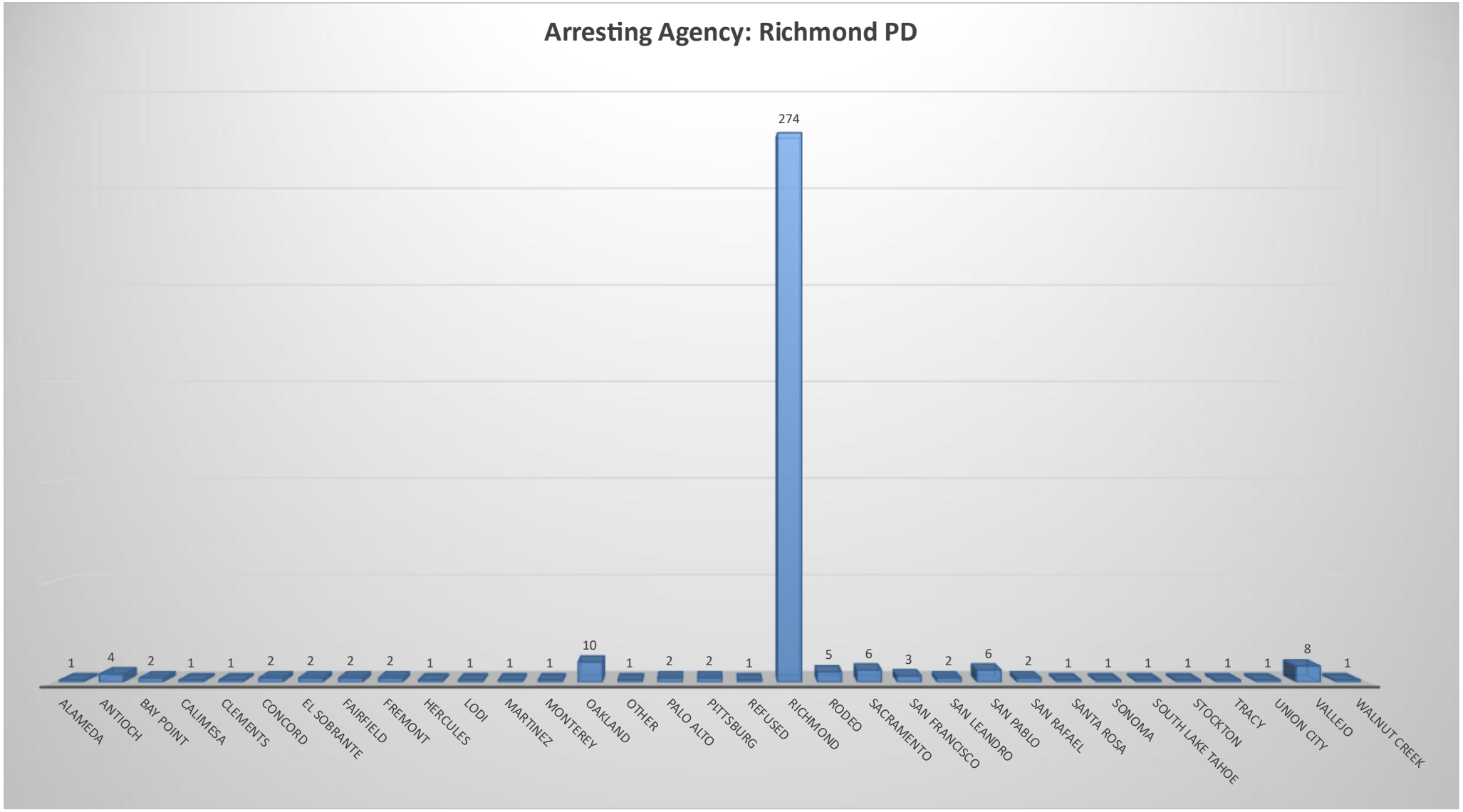

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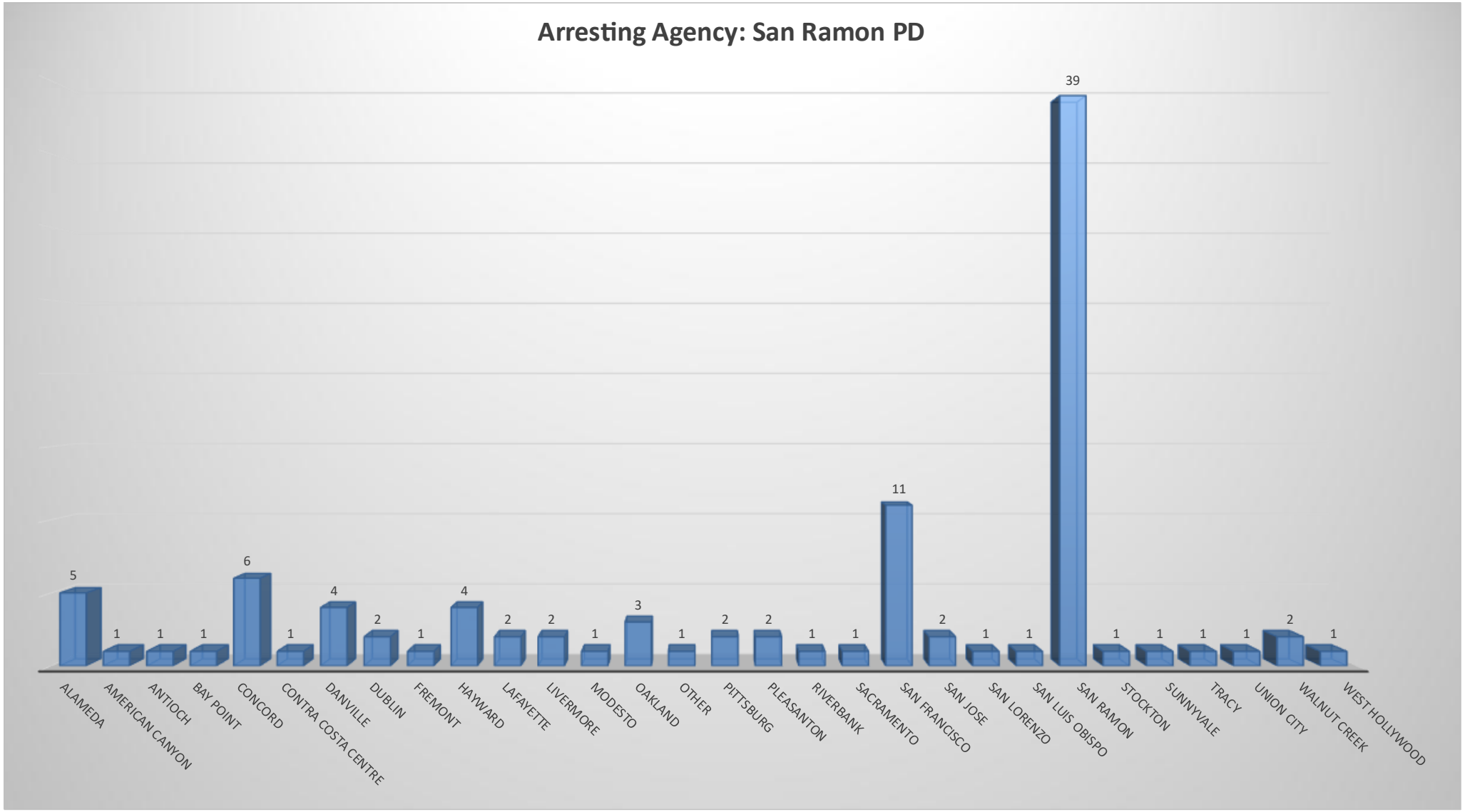

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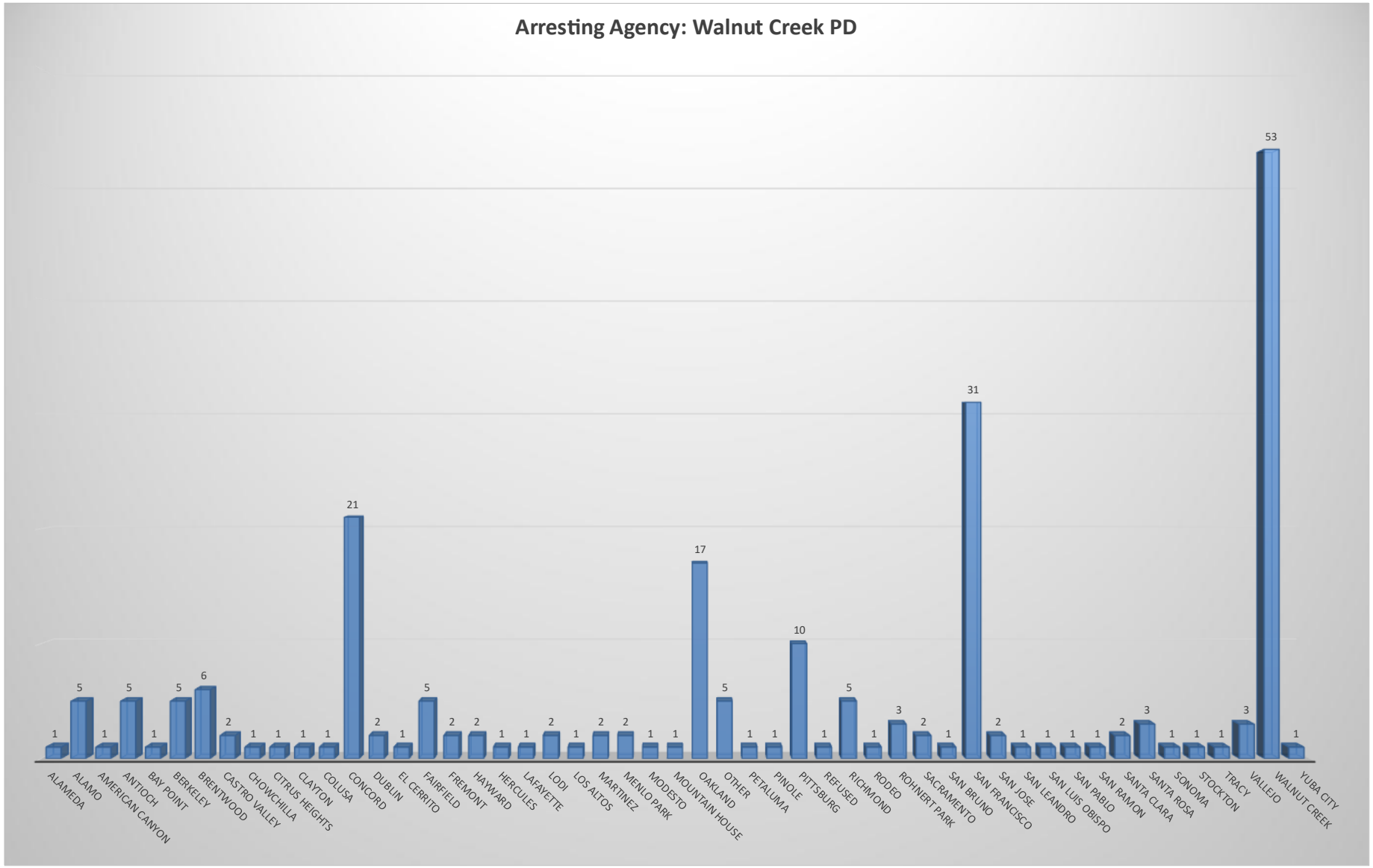

File #: 26-511 **Agenda Date:** 2/10/2026 **Agenda #:** D.2.

To: Board of Supervisors

From: Monica Nino, County Administrator & Tom Geiger, County Counsel

Report Title: ORDINANCE ESTABLISHING A 0.625% GENERAL RETAIL TRANSACTIONS (SALES) AND USE TAX IN CONTRA COSTA COUNTY FOR A PERIOD OF FIVE (5) YEARS

☐Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

INTRODUCE Ordinance No. 2026-05 authorizing the levy of a 0.625% General Retail Transactions (Sales) and Use Tax in Contra Costa County, WAIVE reading and FIX March 3, 2026 for adoption of the ordinance and a resolution calling an election for June 2, 2026, and submitting the general sales tax measure to the voters.

FISCAL IMPACT:

If successful, the additional 0.625% Transactions and Use Tax would generate approximately $150 million to support general operations of the County for a period of five (5) years.

The cost to place the measure on the ballot is approximately $1.2 million for election costs, including printing of ballots and related translation of proposed ordinance, analysis and other text into multiple languages.

BACKGROUND:

On January 20, 2026, the Board of Supervisors directed staff to assemble a draft ordinance authorizing a countywide transactions and use tax (TUT) in the amount of 0.625% to be listed on the June 2026 ballot and return at the February 10, 2026 meeting to introduce the draft ordinance and set a date for adoption. This is following receipt of reports from the County Administrator's Office on November 18, 2025 and the Health and Employment & Human Services departments on December 16, 2025 on the negative impacts to the County from the passage of House Resolution (H.R.) 1 and the fiscal year 2025/26 state budget.

County Budgetary Pressures

The passage of H.R. 1 represents a fundamental shift in the relationship between the federal, state and local governments for health and social service programming. In Contra Costa County, this means significant revenue reductions for Medi-Cal (California's version of Medicaid) and CalFresh (California's version of the federal Supplemental Nutrition Assistance Program (SNAP)). These impacts are further exacerbated by certain budgetary actions taken by the California Legislature in the fiscal year 2025/26 budget.

For Medi-Cal, the County projects that annual revenue losses to increase annually to $307 million by fiscal year

2028/29. This is due to two primary drivers, 1) $159 million from Medi-Cal disenrollment due to changing eligibility criteria, and 2) $148 million from loss of supplemental state and federal healthcare funding. It is important to note that the $307 million figure represents an ongoing, structural budget deficit in the Hospital Enterprise Fund (EF1) that will need to be closed to maintain a structurally balanced budget in future years.

It is additionally noteworthy that the above structural deficit projections do not include the increased costs from negotiations with the County's labor unions, which are currently in progress, nor does it include an estimated $170 million, one-time capital cost requirement to retrofit portions of the County Hospital for earthquake safety.

Sales & Use Taxes in California

In California, sales and use taxes are structured to allow for a base state tax of 7.25% with an additional 2% of capacity being available in each county for transactions and use tax districts, making the maximum sales and use tax up to 9.25% in each county within the State. Any additional sales and use taxes beyond that figure require special legislation. Below is a table showing how the base state sales and use tax rate is broken out along with the additional 2% cap for local TUTs:

California Sales and Use Tax Rates	
State General Fund	3.9375%
Local General Fund (Bradley-Burns)	1.00%
Countywide Transportation Fund	0.25%
County Realignment for Mental Health/ Welfare/ Public Safety Services	1.5625%
Public Safety Augmentation Fund	0.50%
Total	**7.25%**
Transactions and Use Tax Districts (Maximum Rate Per County)	2.00%
Total	**9.25%***

It is important to note that although the 7.25% base state tax is remitted to the state, several of the increments illustrated above are subsequently allocated to local governments, including the County. For example, the "Public Safety Augmentation Fund" increment of 0.50% is more commonly known as "Proposition 172" funding specifically passes through the state to counties for the augmentation of public safety funding.

The local "Transactions and Use Tax (TUT) District" increment of 2% is a maximum figure, per county, but the local taxes levied within this increment are not necessarily required to be countywide taxes. For example, within a given county, and subject to voter approval, the county may levy a tax countywide, beginning in 2003 a city may levy a tax within the city limits or a regional authority, such as a transportation authority, may levy a tax within the boundaries of that authority. But, cumulatively, the total TUTs levied within each county may not exceed 2%.

Sales & Use Taxes in Contra Costa County

In Contra Costa County, the local TUT increment limit has a history dating back to 1970, when a 0.5% sales tax was levied to support the issuance of sales tax revenue bonds to support the construction of the Bay Area Rapid Transit (BART) district system. Subsequently, the Contra Costa Transportation Authority (CCTA) began levying an additional 0.5% TUT in 1989 following passage of Measure A on the November 8, 1988 general election ballot. The CCTA tax was initially passed for a 20 year period, but was later renewed by passage of Measure J on the November 2004 ballot. For a period of over 50 years, the BART and CCTA sales taxes were the only two such taxes levied countywide leaving 1% of the 2% cap for cities or the County to access.

Senate Bill 1349 (Glazer) and a Countywide Transactions & Use Tax (Measure X)

In 2019, the County commenced a process to explore submission of a new, countywide 0.5% sales tax to support general County operations, including healthcare, social services and public safety. With 1% of the 2% local cap subsumed by BART and CCTA and because the County has a disproportionately large number of incorporated cities with already existing sales taxes of their own, it was immediately apparent that any decision to submit a proposed sales tax to the voters for consideration was conditional on legislation being passed to allow for an exception to the 2% cap.

Additionally, at the time the cities of Concord and San Pablo were exploring passage of sales taxes at some point in 2020 and CCTA was pursuing an additional 0.5% on the March 2020 ballot (ultimately the CCTA measure was not successful). For these reasons, the Board directed the County Administrator's Office to work with the cities to seek a legislative path for the County, its cities and CCTA to pursue their respective sales tax measures for consideration by the voters and maintain a level of available increment for other cities to pursue future taxes if needed.

On April 8, 2020, Senator Steve Glazer introduced amendments to SB 1349 including language jointly proposed by the County, in collaboration with the cities, CCTA and labor partners with a solution for all jurisdictions to pursue their respective taxes as described above. Throughout the spring and summer of 2020, the COVID-19 pandemic escalated leading to several closures of the Legislature resulting in the bill moving slowly through the legislative process. For this reason, on August 4, 2020 the Board passed Resolution No. 2020/210 placing the 0.5% countywide sales tax measure on the November 2020 general election ballot, prior to the passage of the bill, due to the requirement that ballot measures be submitted to the Registrar of Voters 88 days prior to an election (commonly referred to as the "E-88" deadline). This measure later became what we know today as "Measure X".

Ultimately, SB 1349 was passed by the Legislature on August 31, 2020 and signed into law by Governor Newsom on September 30, 2020. The final version of SB 1349 changed the approach to sales taxes within Contra Costa County in two primary ways:

1. Removed the legacy BART 0.5% sales tax from the 2% cap; and
2. Prospectively removed any successful CCTA 0.5% sales tax from the 2% cap

This approach resulted in a successful, multi-jurisdictional policy achievement for Contra Costa County. Following adoption of SB 1349 and due to this approach changing the sales tax base within the County, the following taxes were subsequently approved by voters with the following effective dates (i.e. the date that the tax began to be levied following the election):

Contra Costa County, CA
Transactions & Use Taxes Passed Post SB 134

Jurisdiction	Tax Rate	Effective Date
Contra Costa County	0.50%	4/1/21
City of Concord	0.50%	4/1/21
City of Lafayette	0.50%	4/1/25
City of Orinda	1.00%	4/1/21
City of San Pablo	0.50%	10/1/22
City of San Ramon	0.50%	4/1/25
City of Walnut Creek	0.50%	4/1/23

For additional context, below is a table showing the current and proposed sales and use tax levels within the city and unincorporated jurisdictions of the County assuming the County's proposed 0.625% transactions and use tax is successful:

Contra Costa County, CA
Current & Projected Sales and Use Tax Levels

Location	Current Rate	Proposed Rate	Type
El Cerrito	10.25%	10.875%	City
Pinole	10.25%	10.875%	City
Antioch	9.75%	10.375%	City
Concord	9.75%	10.375%	City
Martinez	9.75%	10.375%	City
Moraga	9.75%	10.375%	City
Orinda	9.75%	10.375%	City
Richmond	9.75%	10.375%	City
San Ramon	9.75%	10.375%	City
San Pablo	9.50%	10.125%	City
Hercules	9.25%	9.875%	City
Lafayette	9.25%	9.875%	City
Pittsburg	9.25%	9.875%	City
Pleasant Hill	9.25%	9.875%	City
Walnut Creek	9.25%	9.875%	City
Brentwood	8.75%	9.375%	City
Clayton	8.75%	9.375%	City
Unincorporated	8.75%	9.375%	County
Danville	8.75%	9.375%	City
Oakley	8.75%	9.375%	City

Note that the above table does not take into account the possibility of an additional 0.5% transactions and use tax countywide being proposed by BART for the November 2026 ballot. In addition, the above chart illustrates the need for additional legislation as 15 of the County's 19 cities would be above the current cap. The County is seeking legislation based on the Board's January 20th direction. One unique aspect of a June election cycle is that the final day for bills to be passed in the Legislature is August 31st following the election. For measures placed on a November election ballot, the Governor's signing deadline of September 30th occurs well before the election itself.

Conclusion and Next Steps

Today's action is follow-up to the Board's request to draft a new transactions and use tax ordinance seeking an additional 0.625% TUT countywide. Specifically, the Board is introducing the ordinance, waiving the full reading of the ordinance and setting March 3, 2026 for adoption of the ordinance.

The ordinance establishes a general tax enacted for general governmental purposes. All of the proceeds from the tax imposed by the ordinance will be placed in the County's general fund and used for purposes consistent with general fund expenditures of the County.

The ordinance establishing the general sales tax would go into effect if adopted by a majority of the voters voting on the measure and if legislation that would exempt the tax from the sales tax cap under Revenue and Taxation Code section 7251.1 becomes law. The earliest the tax would be collected would be October 1, 2026.

On March 3, 2026, the Board will also be asked to adopt a resolution formally calling for an election, including related ballot language, for submission to the Registrar of Voters for the June 2026 Primary election ballot. Should the measure be passed by the voters, the resulting tax would be collected for a five (5) year period commencing from the date of collection.

CONSEQUENCE OF NEGATIVE ACTION:

The Board will not have introduced the ordinance establishing the 0.625% transactions and use tax nor set a date for final adoption. Since the ordinance must be adopted at a regularly scheduled meeting, the Board must adopt the ordinance on March 3, 2026, which is the final Board meeting prior to the statutory deadline with the Registrar of Voters to submit measures for the June 2026 elections ballot.

2026 Retail Transactions (Sales) and Use Tax Ordinance Introduction & Considerations

County Administrator's Office

February 10, 2026

Agenda

1. Recap of Board Policy Direction & Discussion
2. Tax Rate Impact and Other Considerations
3. Timeline Going Forward
4. Recommended Actions
5. Questions/ Discussion

Recap of Board Policy Direction & Discussion

- **November 18, 2025:** County Administrator's Office presentation on the impacts of H.R. 1 and the State Budget
- **December 16, 2025:** Health and Employment and Human Services departments provide in-depth presentation on federal and state financial impacts
- **January 20, 2026**: Board direction to seeking legislation allowing for an additional 0.625% general sales tax and development of related taxing ordinance for a period of 5 years
- **February 3, 2026:** Board Retreat presentations from Beacon Economics, the County Finance Director, California Welfare Director's Association (CWDA) and the California Association of Public Hospitals & Health Systems (CAPH)

Tax Rate Impact and Other Considerations

- 15 of the 19 cities would be above the local sales tax cap (this includes the tax cap changes from SB 1349)
- New legislation required to levy the tax.
  - Last day to approve bills in Legislature is August 31, 2026
  - Unique issue for June election cycles
- Highest Tax Rate would be El Cerrito at 10.875%
- Does not include other sales taxes that may be passed in 2026
  - Regional BART tax slated for November 2026 ballot (additional 0.5% Countywide)

Contra Costa County, CA
Current & Projected Sales and Use Tax Levels, by City & Unincorporated Area

Location	Current Rate	Proposed Rate	Type
El Cerrito	10.25%	10.875%	City
Pinole	10.25%	10.875%	City
Antioch	9.75%	10.375%	City
Concord	9.75%	10.375%	City
Martinez	9.75%	10.375%	City
Moraga	9.75%	10.375%	City
Orinda	9.75%	10.375%	City
Richmond	9.75%	10.375%	City
San Ramon	9.75%	10.375%	City
San Pablo	9.50%	10.125%	City
Hercules	9.25%	9.875%	City
Lafayette	9.25%	9.875%	City
Pittsburg	9.25%	9.875%	City
Pleasant Hill	9.25%	9.875%	City
Walnut Creek	9.25%	9.875%	City
Brentwood	8.75%	9.375%	City
Clayton	8.75%	9.375%	City
Unincorporated	8.75%	9.375%	County
Danville	8.75%	9.375%	City
Oakley	8.75%	9.375%	City

Timeline Going Forward

- **February 10, 2026 (Today):** Introduce sales tax ordinance and fix March 3, 2026 for adoption (4/5 Vote required)
- **March 3, 2026**: Final date that the Board can adopt the sales tax ordinance and place on the June 2026 Primary Election ballot (4/5 Vote required)
- **March 6, 2026**: Date that measures to be listed on the June 2026 Primary Ballot are due to the Elections Department (88 days prior to the election)
- **June 2, 2026:** Election Day

Timeline Going Forward

- **August 31, 2026:** Last day for bills to be approved in each House of the Legislature
- **September 30, 2026:** Last Day for Governor to sign or veto bills passed by the Legislature before September 1st and in the Governor's possession on or after September 1st. (Art. IV, Sec. 10(b)(2))
- **October 1, 2026 or January 1, 2027**: First day that the tax may be levied following election. (depends on when legislation becomes law)
- **December 2026 or March 2027 (Est.):** Likely the months that the County could expect receipt of tax revenue (again, depending on when legislation becomes law)

Recommended Actions

INTRODUCE Ordinance No. 2026-05 authorizing the levy of a 0.625% General Retail Transactions (Sales) and Use Tax in Contra Costa County, WAIVE reading and FIX March 3, 2026 for adoption of the ordinance and a resolution calling an election for June 2, 2026, and submitting the general sales tax measure to the voters. (4/5 Vote).

Questions/Discussion

ORDINANCE NO. 2026-05

AN ORDINANCE IMPOSING THE 2026 CONTRA COSTA COUNTY RETAIL TRANSACTIONS AND USE TAX TO BE ADMINISTERED BY THE CALIFORNIA DEPARTMENT OF TAX AND FEE ADMINISTRATION

The people of the County of Contra Costa ordain as follows:

SECTION I. Chapter 64-XX is added to the Contra Costa County Ordinance Code, to read:

Chapter 64-XX

RETAIL TRANSACTIONS AND USE TAX

Article 64-XX

General

64-XX.XXX Title. This ordinance shall be known as the 2026 County of Contra Costa Retail Transactions and Use Tax Ordinance. The County of Contra Costa hereinafter shall be called "County." This ordinance shall be applicable in the incorporated and unincorporated territory of the County.

(Ord. 2026-XX, § 1)

64-XX.XXX General Tax. The 2026 County of Contra Costa Retail Transaction and Use Tax hereby adopted is enacted solely for general governmental purposes of the County and not for specific purposes. All of the proceeds from the tax imposed by this ordinance shall be placed in the County's general fund and used for purposes consistent with general fund expenditures of the County.

(Ord. 2026-XX, § 1)

64-XX.XXX Operative Date. "Operative Date" means either (a) or (b):

(a) The first day of the first calendar quarter commencing more than 110 days after the adoption of this ordinance, if legislation that would exempt this tax from the sales tax cap under Revenue and Taxation Code section 7251.1 becomes law on or before June 2, 2026.

(b) The first day of the first calendar quarter that is more than 110 days after legislation that would exempt this tax from the sales tax cap under Revenue and Taxation Code section 7251.1 becomes law, if that legislation becomes law after June 2, 2026.

For purposes of Revenue and Taxation Code section 7265, this ordinance shall be considered adopted on the date of the election in which it is approved by the qualified voters of the County.

(Ord. 2026-XX, § 1)

64-XX.XXX Purpose. This ordinance is adopted to achieve the following, among other purposes, and directs that the provisions hereof be interpreted in order to accomplish those purposes:

(a) To impose a retail transactions and use tax in accordance with the provisions of Part 1.6 (commencing with Section 7251) of Division 2 of the Revenue and Taxation Code and Section 7285 of Part 1.7 of Division 2 which authorizes the County to adopt this tax ordinance which shall be operative if a majority of the electors voting on the measure vote to approve the imposition of the tax at an election called for that purpose.

(b) To adopt a retail transactions and use tax ordinance that incorporates provisions identical to those of the Sales and Use Tax Law of the State of California insofar as those provisions are not inconsistent with the requirements and limitations contained in Part 1.6 of Division 2 of the Revenue and Taxation Code.

(c) To adopt a retail transactions and use tax ordinance that imposes a tax and provides a measure therefor that can be administered and collected by the California Department of Tax and Fee Administration in a manner that adapts itself as fully as practicable to, and requires the least possible deviation from, the existing statutory and administrative procedures followed by the California Department of Tax and Fee Administration in administering and collecting the California State Sales and Use Taxes.

(d) To adopt a retail transactions and use tax ordinance that can be administered in a manner that will be, to the greatest degree possible, consistent with the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code, minimize the cost of collecting the transactions and use taxes, and at the same time, minimize the burden of record keeping upon persons subject to taxation under the provisions of this ordinance.

(Ord. 2026-XX, § 1)

64-XX.XXX Contract with State. Prior to the operative date, the County shall contract with the California Department of Tax and Fee Administration to perform all functions incident to the administration and operation of this transactions and use tax ordinance; provided, that if the County shall not have contracted with the California Department of Tax and Fee Administration prior to the operative date, it shall nevertheless so contract and in such a case the operative date shall be the first day of the first calendar quarter following the execution of such a contract.

(Ord. 2026-XX, § 1)

Article 64-XX

Transaction and Use Tax

64-XX.XXX Transactions Tax Rate. For the privilege of selling tangible personal property at retail, a tax is hereby imposed upon all retailers in the incorporated and unincorporated territory of the County at the rate of five-eighths of one cent (0.625%) of the gross receipts of any retailer from the sale of all tangible personal property sold at retail in said territory on and after the operative date of this ordinance.

(Ord. 2026-XX, § 1)

64-XX.XXX Place of Sale. For the purposes of this ordinance, all retail sales are consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or his agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination. The gross receipts from such sales shall include delivery charges, when such charges are subject to the state sales and use tax, regardless of the place to which delivery is made. In the event a retailer has no permanent place of business in the State or has more than one place of business, the place or places at which the retail sales are consummated shall be determined under rules and regulations to be prescribed and adopted by the California Department of Tax and Fee Administration.

(Ord. 2026-XX, § 1)

64-XX.XXX Use Tax Rate. An excise tax is hereby imposed on the storage, use or other consumption in the County of tangible personal property purchased from any retailer on and after the operative date of this ordinance for storage, use or other consumption in said territory at the rate of five-eighths of one cent (0.625%) of the sales price of the property. The sales price shall include delivery charges when such charges are subject to state sales or use tax regardless of the place to which delivery is made.

(Ord. 2026-XX, § 1)

64-XX.XXX Adoption of Provisions of State Law. Except as otherwise provided in this ordinance and except insofar as they are inconsistent with the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code, all of the provisions of Part 1 (commencing with Section 6001) of Division 2 of the Revenue and Taxation Code are hereby adopted and made a part of this ordinance as though fully set forth herein.

(Ord. 2026-XX, § 1)

64-XX.XXX Limitations on Adoption of State Law and Collection of Use Taxes. In adopting the provisions of Part 1 of Division 2 of the Revenue and Taxation Code:

(a) Wherever the State of California is named or referred to as the taxing agency, the name of this County shall be substituted therefor. However, the substitution shall not be made when:

(1) The word "State" is used as a part of the title of the State Controller, State Treasurer, State Treasury, or the Constitution of the State of California;

(2) The result of that substitution would require action to be taken by or against this County or any agency, officer, or employee thereof rather than by or against the California Department of Tax and Fee Administration, in performing the functions incident to the administration or operation of this Ordinance.

(3) In those sections, including, but not necessarily limited to sections referring to the exterior boundaries of the State of California, where the result of the substitution would be to:

(A) Provide an exemption from this tax with respect to certain sales, storage, use or other consumption of tangible personal property which would not otherwise be exempt from this tax while such sales, storage, use or other consumption remain subject to tax by the State under the provisions of Part 1 of Division 2 of the Revenue and Taxation Code, or;

(B) Impose this tax with respect to certain sales, storage, use or other consumption of tangible personal property which would not be subject to tax by the state under the said provision of that code.

(4) In Sections 6701, 6702 (except in the last sentence thereof), 6711, 6715, 6737, 6797 or 6828 of the Revenue and Taxation Code.

(b) The word "County" shall be substituted for the word "State" in the phrase "retailer engaged in business in this State" in Section 6203 and in the definition of that phrase in Section 6203.

(1) "A retailer engaged in business in the County" shall also include any retailer that, in the preceding calendar year or the current calendar year, has total combined sales of tangible personal property in this state or for delivery in the State by the retailer and all persons related to the retailer that exceeds five hundred thousand dollars ($500,000). For purposes of this section, a person is related to another person if both persons are related to each other pursuant to Section 267(b) of Title 26 of the United States Code and the regulations thereunder.

(Ord. 2026-XX, § 1)

64-XX.XXX Permit Not Required. If a seller's permit has been issued to a retailer under Section 6067 of the Revenue and Taxation Code, an additional transactor's permit shall not be required by this ordinance.

(Ord. 2026-XX, § 1)

64-XX.XXX Exemptions and Exclusions.

(a) There shall be excluded from the measure of the transactions tax and the use tax the amount of any sales tax or use tax imposed by the State of California or by any city, city and county, or county pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law or the amount of any state-administered transactions or use tax.

(b) There are exempted from the computation of the amount of transactions tax the gross receipts from:

(1) Sales of tangible personal property, other than fuel or petroleum products, to operators of aircraft to be used or consumed principally outside the County in which the sale is made and directly and exclusively in the use of such aircraft as common carriers of persons or property under the authority of the laws of this State, the United States, or any foreign government.

(2) Sales of property to be used outside the County which is shipped to a point outside the County, pursuant to the contract of sale, by delivery to such point by the retailer or his agent, or by delivery by the retailer to a carrier for shipment to a consignee at such point. For the purposes of this paragraph, delivery to a point outside the County shall be satisfied:

(A) With respect to vehicles (other than commercial vehicles) subject to registration pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of the Vehicle Code, aircraft licensed in compliance with Section 21411 of the Public Utilities Code, and undocumented vessels registered under Division 3.5 (commencing with Section 9840) of the Vehicle Code by registration to an out-of-County address and by a declaration under penalty of perjury, signed by the buyer, stating that such address is, in fact, his or her principal place of residence; and

(B) With respect to commercial vehicles, by registration to a place of business out-of-County and declaration under penalty of perjury, signed by the buyer, that the vehicle will be operated from that address.

(3) The sale of tangible personal property if the seller is obligated to furnish the property for a fixed price pursuant to a contract entered into prior to the operative date of this ordinance.

(4) A lease of tangible personal property which is a continuing sale of such property, for any period of time for which the lessor is obligated to lease the property for an amount fixed by the lease prior to the operative date of this ordinance.

(5) For the purposes of subparagraphs (3) and (4) of this section, the sale or lease of tangible personal property shall be deemed not to be obligated pursuant to a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not such right is exercised.

(c) There are exempted from the use tax imposed by this ordinance, the storage, use or other consumption in this County of tangible personal property:

(1) The gross receipts from the sale of which have been subject to a transactions tax under any state-administered transactions and use tax ordinance.

(2) Other than fuel or petroleum products purchased by operators of aircraft and used or consumed by such operators directly and exclusively in the use of such aircraft as common carriers of persons or property for hire or compensation under a certificate of public convenience and necessity issued pursuant to the laws of this State, the United States, or any foreign government. This exemption is in addition to the exemptions provided in Sections 6366 and 6366.1 of the Revenue and Taxation Code of the State of California.

(3) If the purchaser is obligated to purchase the property for a fixed price pursuant to a contract entered into prior to the operative date of this ordinance.

(4) If the possession of, or the exercise of any right or power over, the tangible personal property arises under a lease which is a continuing purchase of such property for any period of time for which the lessee is obligated to lease the property for an amount fixed by a lease prior to the operative date of this ordinance.

(5) For the purposes of subparagraphs (3) and (4) of this section, storage, use, or other consumption, or possession of, or exercise of any right or power over, tangible personal property shall be deemed not to be obligated pursuant to a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not such right is exercised.

(6) Except as provided in subparagraph (7), a retailer engaged in business in the County shall not be required to collect use tax from the purchaser of tangible personal property, unless the retailer ships or delivers the property into the County or participates within the County in making the sale of the property, including, but not limited to, soliciting or receiving the order, either directly or indirectly, at a place of business of the retailer in the County or through any representative, agent, canvasser, solicitor, subsidiary, or person in the County under the authority of the retailer.

(7) "A retailer engaged in business in the County" shall also include any retailer of any of the following: vehicles subject to registration pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of the Vehicle Code, aircraft licensed in compliance with Section 21411 of the Public Utilities Code, or undocumented vessels registered under Division 3.5 (commencing with Section 9840) of the Vehicle Code. That retailer shall be required to collect use tax from any purchaser who registers or licenses the vehicle, vessel, or aircraft at an address in the County.

(d) Any person subject to use tax under this ordinance may credit against that tax any transactions tax or reimbursement for transactions tax paid to a County imposing, or retailer liable for a transactions tax pursuant to Part 1.6 of Division 2 of the Revenue and Taxation Code with respect to the sale to the person of the property the storage, use or other consumption of which is subject to the use tax.

(Ord. 2026-XX, § 1)

Article 64-XX

Administration

64-XX.XXX Amendments. All amendments subsequent to the effective date of this ordinance to Part 1 of Division 2 of the Revenue and Taxation Code relating to sales and use taxes and which are not inconsistent with Part 1.6 and Part 1.7 of Division 2 of the Revenue and Taxation Code, and all amendments to Part 1.6 and Part 1.7 of Division 2 of the Revenue and Taxation Code, shall automatically become a part of this ordinance, provided however, that no such amendment shall operate so as to affect the rate of tax imposed by this ordinance.

(Ord. 2026-XX, § 1)

64-XX.XXX Enjoining Collection Forbidden. No injunction or writ of mandate or other legal or equitable process shall issue in any suit, action or proceeding in any court against the State or the County, or against any officer of the State or the County, to prevent or enjoin the collection under this ordinance, or Part 1.6 of Division 2 of the Revenue and Taxation Code, of any tax or any amount of tax required to be collected.

(Ord. 2026-XX, § 1)

64-XX.XXX Fiscal Accountability. In order to ensure public fiscal accountability, the County's independent auditors shall complete a report reviewing the collection, management and expenditure of revenue from the tax levied by this chapter by no later than the end of each fiscal year after the Operative Date. Additionally, there shall be a fiscal oversight committee consisting of no fewer than five seats to review and report on the receipt of revenue and expenditure of funds from the tax authorized by this chapter. The committee members shall be either County residents or representatives of County businesses. Within 90 days of the Operative Date, the Board of Supervisors shall adopt a resolution establishing the composition of the committee,

setting the terms of office of the committee members, and defining the scope of the committee's responsibilities, which at a minimum shall include reviewing the annual auditor's report.

(Ord. 2026-XX, § 1)

64-XX.XXX. Supplemental Levy. The taxes levied by this ordinance are supplemental to and do not supplant any existing or future transactions and use taxes adopted by the County.

(Ord. 2026-XX, § 1)

64-XX.XXX. Termination Date. The authority to levy the tax imposed by this ordinance shall expire on the first day of the first calendar quarter that is five years after the operative date of this ordinance.

(Ord. 2026-XX, § 1)

SECTION II. Severability. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the ordinance and the application of such provision to other persons or circumstances shall not be affected thereby.

(Ord. 2026-XX, § 2)

SECTION III. Effective Date.

The Board of Supervisors passed this ordinance on March 3, 2026, and approved submitting this ordinance to the voters at an election to be held on June 2, 2026. Within 15 days after passage by the Board of Supervisors, this ordinance shall be published in a manner satisfying the requirements of Government Code section 25124, with the names of supervisors voting for and against it. This ordinance relates to the levying and collecting of a transactions and use tax and shall take effect immediately upon both: (a) adoption by the voters and (b) legislation that would exempt this tax from the sales tax cap under Revenue and Taxation Code section 7251.1 becoming law.

(Ord. 2026-XX, § 3)

SECTION IV. Adjustment of Appropriations Limit. Pursuant to Article XIIIB of the Constitution of the State of California and applicable laws, the appropriations limit for the County is hereby increased by the aggregate sum authorized to be levied by this tax for fiscal year 2026-27 and each year thereafter.

(Ord. 2026-XX, § 4)

PASSED AND ADOPTED by the Board of Supervisors of the County of Contra Costa, State of California, on _____, 2026, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: MONICA NINO,
Clerk of the Board of Supervisors
and County Administrator

_____
Board Chair

By: _____
Deputy

[SEAL]

A RESOLUTION CALLING FOR AN ELECTION AND ORDERING THE SUBMISSION TO THE QUALIFIED ELECTORS OF CONTRA COSTA COUNTY A MEASURE PROPOSING AN ORDINANCE ENACTING A COUNTYWIDE TRANSACTIONS AND USE TAX AND ORDERING CONSOLIDATION OF THE ELECTION ON THE TAX ORDINANCE WITH THE CONSOLIDATED PRIMARY ELECTION CALLED FOR JUNE 2, 2026

Contra Costa County relies on federal funding to provide its residents with public programs and services, including health care, food assistance, social services, child welfare, public health, housing, and public safety;

On July 4, 2025, the President signed H.R. 1, which enacted the deepest cuts in our country's history to Medicaid and the federal food assistance programs;

Medicaid and Medicare are the largest sources of revenue for the County's public health and hospital/clinic system, which provide lifesaving and essential care to county residents, including Medi-Cal beneficiaries, Medicare recipients, and uninsured residents.

H.R. 1 immediately freezes supplemental Medicaid funding and blocks the County from drawing down expected supplemental payments, producing escalating negative impacts on the County's budget, while simultaneously making significant eligibility changes which will cause thousands of county residents to lose health coverage;

Lack of health coverage often causes people to delay medical care resulting in sicker residents and will increase demand for emergency care sought by residents no longer able to access preventative healthcare after losing insurance coverage;

More than 335,000 County residents rely on Medi-Cal for their health care, and the County is the primary health-care provider for this population;

H.R. 1 also makes substantial reductions to Supplemental Nutrition Assistance Program (SNAP), limiting food assistance relied upon by approximately 110,000 county residents;

As a result of the federal funding cuts and rising costs, the County projects annual revenue losses exceeding $300 million by 2029;

Contra Costa County provides important public services to its residents, such as health care at the Contra Costa Regional Medical Center and community health centers, fire-emergency response, crucial safety-net services, early childhood programs, services to protect vulnerable populations, public safety, and the only psychiatric ward in the County to serve the severe psychiatric emergency medical care needs of county residents;

The combination of decreased federal funding with the increased demands on the County's healthcare and social services threatens ALL County services, from public safety to homeless services;

An additional five-eighths of one cent countywide general transaction and use tax (sales tax) would generate an estimated $150 million annually for five years and would help mitigate the funding crisis created by H.R. 1 by partially offsetting the loss of federal funding and supporting the continuation of essential County services, such as health care and food assistance;

Article XIIIC, section 2 of the California Constitution, Government Code section 53723, and Part 1.6 of Division 2 of the Revenue and Taxation Code authorize a county to levy, increase, or extend a general tax upon approval by a majority of the electorate;

The Board of Supervisors is considering submitting a five-eighths of one cent countywide general sales tax measure to the electorate at the statewide primary election on June 2, 2026, pursuant to Article XIIIC; and

Voter approval of such a measure would not alter or affect existing County sales taxes, which would continue to be levied.

NOW, THEREFORE, the Contra Costa County Board of Supervisors resolves as follows:

1. Pursuant to Elections Code section 9140 and Government Code section 53724, the Board of Supervisors hereby calls and orders an election for the purpose of submitting Ordinance No. 2026-05, attached as Exhibit A and incorporated herein by reference, to the qualified electors of the County, with the election to be held on Tuesday, June 2, 2026.
2. The Board of Supervisors consents to the consolidation of the election on Ordinance No. 2026-05 with the statewide primary election on Tuesday, June 2, 2026.
3. A ballot measure in substantially the following form shall be included on the ballot, in addition to any other matters required by law to be on the ballot:

To help Contra Costa County address deep cuts in federal funding; support critical local services such as health care, supplemental food assistance, and other general county services; and reduce the risk of closures at Contra Costa's regional hospital and health clinics, shall Contra Costa County adopt a five-eighths of one cent general sales tax for 5 years, providing an estimated $150,000,000 annually, not available to the federal government and subject to annual audits and independent citizens oversight?	YES NO

A “yes” vote is a vote to approve the measure. A “no” vote is a vote to reject the measure.

4. Notwithstanding anything to the contrary herein, Ordinance 2026-05 shall only become effective if Ordinance No. 2026-05, which establishes a general tax, is adopted and approved by a vote of at least a majority of the voters voting on the question at the election, and if legislation that exempts the tax from the sales tax cap under Revenue and Taxation Code section 7251.1 becomes law.
5. The full text of Ordinance No. 2026-05 shall be made available to the public in accordance with subdivisions (b)(3) and (b)(4) of Elections Code section 9160.
6. The Elections Office and the County Administrator are hereby authorized and directed to take any and all actions necessary under law to prepare for and conduct the primary election and appropriate all monies necessary for the Elections Office and County Administrator to prepare and conduct the primary election in a manner consistent with state and local laws.
7. The Elections Office is directed and authorized to certify the results of the election on the measure to the Contra Costa County Board of Supervisors.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 26-512 **Agenda Date:** 2/10/2026 **Agenda #:** D.3.

To: Board of Supervisors

From: John Kopchik, Director, Conservation and Development

Report Title: Written Argument in Favor of the 2026 Voter-Approved Contra Costa County Urban Limit Line Ballot Measure

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

APPROVE the attached ballot argument on behalf of the Board of Supervisors for the June 2, 2026 Primary Election in favor of the 2026 Voter-Approved Contra Costa County Urban Limit Line.

FISCAL IMPACT:

None.

BACKGROUND:

On December 9, 2025, the Board of Supervisors adopted Resolution No. 2025-407, calling an election on June 2, 2026, for the 2026 Voter-Approved Contra Costa County Urban Limit Line. California Elections Code Section 9162 allows the Board of Supervisors, or any member of the Board authorized by the Board, to file a written argument for or against a County ballot measure. The County Clerk-Recorder has advised that March 18, 2026, is the last day arguments will be received by that office for the June 2026 Primary Election.

Attached for the Board's consideration (see Attachment A) is a ballot argument on behalf of the Board of Supervisors in favor of the 2026 Voter-Approved Contra Costa County Urban Limit Line ballot measure. The argument has been prepared pursuant to the requirements under the Elections Code; specifically, the word count complies with the 300-word limit for a ballot argument.

CONSEQUENCE OF NEGATIVE ACTION:

The Board of Supervisors would not file a written argument in favor of the 2026 Voter-Approved Contra Costa County Urban Limit Line ballot measure.

ARGUMENT IN FAVOR OF
MEASURE ##

Protecting Contra Costa County's open space and agricultural lands, discouraging urban sprawl, and reducing future traffic congestion, are issues that matter to County residents. These issues are not new. In 1990 the voters approved Measure C: The Contra Costa County 65/35 Land Preservation Plan Ordinance, which established the County's Urban Limit Line, a boundary beyond which no urban land uses could be approved through the year 2010. In 2006 the voters reaffirmed their commitment to smart growth policies by approving Measure L, which extended Measure C's protections through 2026. Measure L is now set to expire.

Over the past 36 years, the Urban Limit Line has protected thousands of acres of open space and agricultural lands and successfully channeled growth into areas of the County most appropriate for urban development. Through Measure ##, the Board of Supervisors asks the voters to extend the benefits of the County's Urban Limit Line through the year 2051.

What does a "yes" vote on Measure ## mean? A "yes" vote will extend the term of the Urban Limit Line for another 25 years, ensuring continued protection and preservation of open space and agricultural lands. A "yes" vote will continue the existing requirement for voter approval of Urban Limit Line expansions exceeding 30 acres, meaning that the voters will continue to decide whether the unincorporated, rural areas of Contra Costa County should be urbanized. A "yes" vote will ensure that urban development occurs only in unincorporated communities with public services, such as roads and utilities, that are adequate to accommodate future growth. A "yes" vote will maintain the County's eligibility to receive local road maintenance funds under the ½-cent transportation sales tax program approved by voters in 2004.

We strongly urge voters to approve Measure ##.

John Gioia, Supervisor, District I

Candace Andersen, Supervisor, District II

Diane Burgis, Supervisor District III

Ken Carlson, Supervisor, District IV

Shanelle Scales-Preston, Supervisor, District V

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 26-513 **Agenda Date:** 2/10/2026 **Agenda #:** D.4.

To: Board of Supervisors

From: Marla Stuart, Employment and Human Services Director

Report Title: Update on Head Start Programs and Oversight

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
CONSIDER accepting the monthly update on the activities and oversight of the County's Head Start Program as recommended by the Employment and Human Services Director, and provide guidance.

FISCAL IMPACT:
There is no fiscal impact.

BACKGROUND:
Per Board Resolution No. 2023/274, the Board receives monthly updates on and provides guidance related to the activities of the Head Start program. This is the February 2026 update.

CONSEQUENCE OF NEGATIVE ACTION:
The County will not be in compliance with Head Start program requirements, which may jeopardize funding and successful 2024-2029 grant implementation.

CHILDREN'S IMPACT STATEMENT:
The services provided under this contract support all five of Contra Costa County's community outcomes: (1)"Children Ready for and Succeeding in School"; (2) "Children and Youth Healthy and Preparing for Productive Adulthood"; (3) "Families that are Economically Self-Sufficient"; (4) "Families that are Safe, Stable and Nurturing"; and (5) "Communities that are Safe and Provide a High Quality of Life for Children and Families".

Early Childhood Education Program Update

February 10, 2026

Marla Stuart, MSW, PhD, EHSD Director and Head Start Executive Director
MJ Robb, Community Services Bureau Interim Director, Head Start Director
info@ehsd.cccounty.us | (925) 608-4800

CONTRA COSTA COUNTY
EMPLOYMENT & HUMAN SERVICES

Outline

Topic	Federal Head Start	State Child Care
Federal Environment Updates	To date	
Child Care Center Services	Dec 2025	Dec 2025
Policy Council Actions	Jan 2026	
Budget	Dec 2025	Dec 2025
Monitoring	Dec 2025	Dec 2025
Official Funder Communication	Jan 2026	Jan 2026
Recommendation	✓	
Appendices	For Information	

- Federal Environment Updates
- Child Care Center Services
- Policy Council Actions
- Budget
- Monitoring
- Official Funder Communication
- Recommendation
- Appendices

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Federal Environment Updates

Sources of Information

1. Project 2025
2. Executive Orders
3. Federal Department Actions
4. Congressional Actions

Categories of Impact

1. Potential Funding Reduction
2. Potential Funding Increase
3. Changes to Program Regulations
4. Change that may Impact Customers
5. Change that may Impact Contracts with Partners

- Federal Environment Updates
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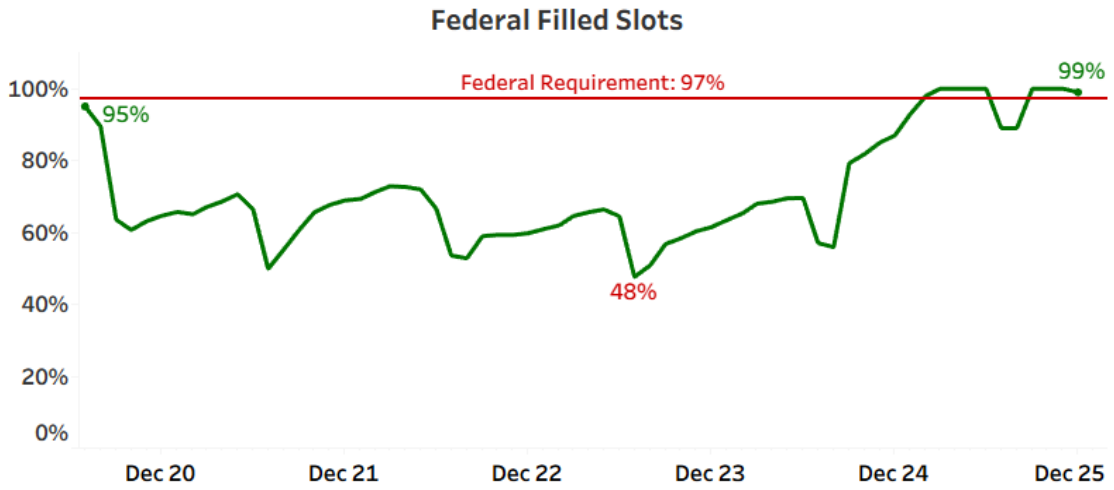
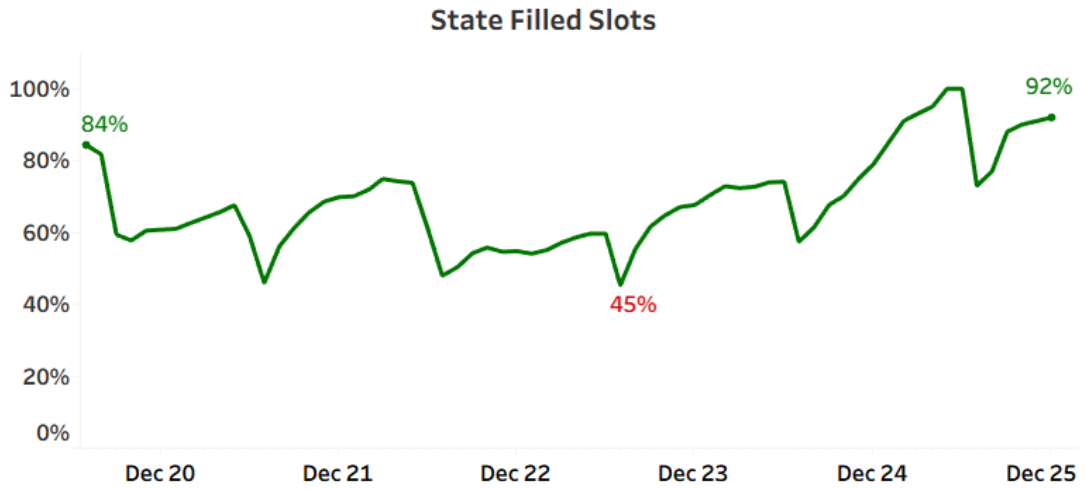
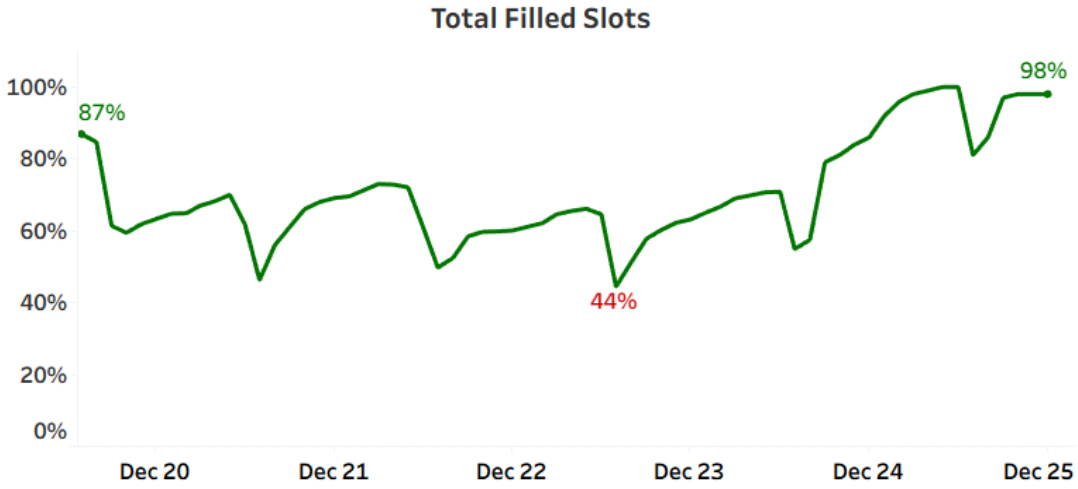
Center Enrollment Rates







Current Slot Allotments:

- Federal Slots (Head Start) = 1,201 (1,193 filled slots as of December 2025)
- State Slots (CDE and CDSS) = 764 (700 filled slots as of December 2025)
- Total Unique Slots = 1,345 (1,323 filled slots as of December 2025)

Current Enrollment Requirements:

- Federally Funded = 97% slots filled
- State Funded = Currently "hold harmless" meaning no penalties for not filling all slots. When "hold harmless" ends in June 2026, we will no longer be funded for unfilled slots.

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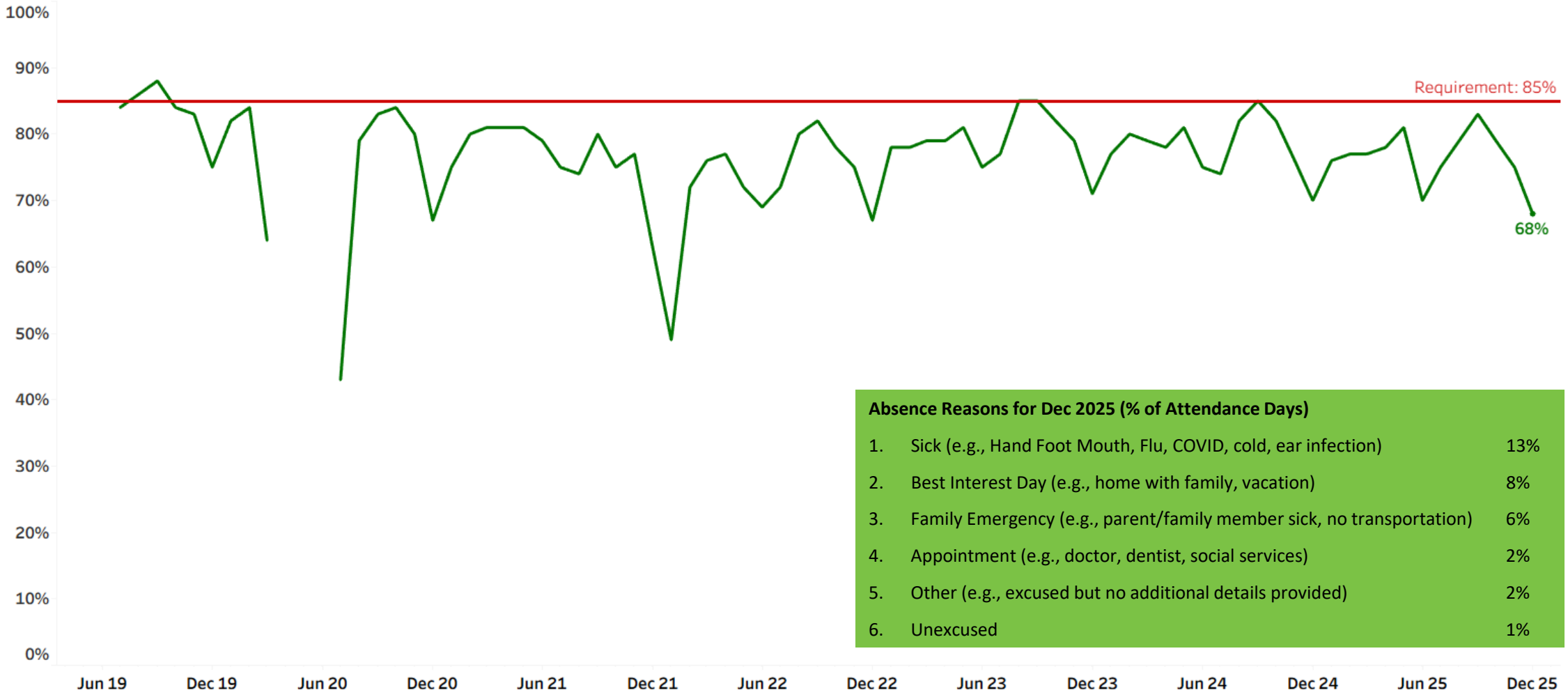
Center Attendance Rates



Absence Reasons for Dec 2025 (% of Attendance Days)

1.	Sick (e.g., Hand Foot Mouth, Flu, COVID, cold, ear infection)	13%
2.	Best Interest Day (e.g., home with family, vacation)	8%
3.	Family Emergency (e.g., parent/family member sick, no transportation)	6%
4.	Appointment (e.g., doctor, dentist, social services)	2%
5.	Other (e.g., excused but no additional details provided)	2%
6.	Unexcused	1%

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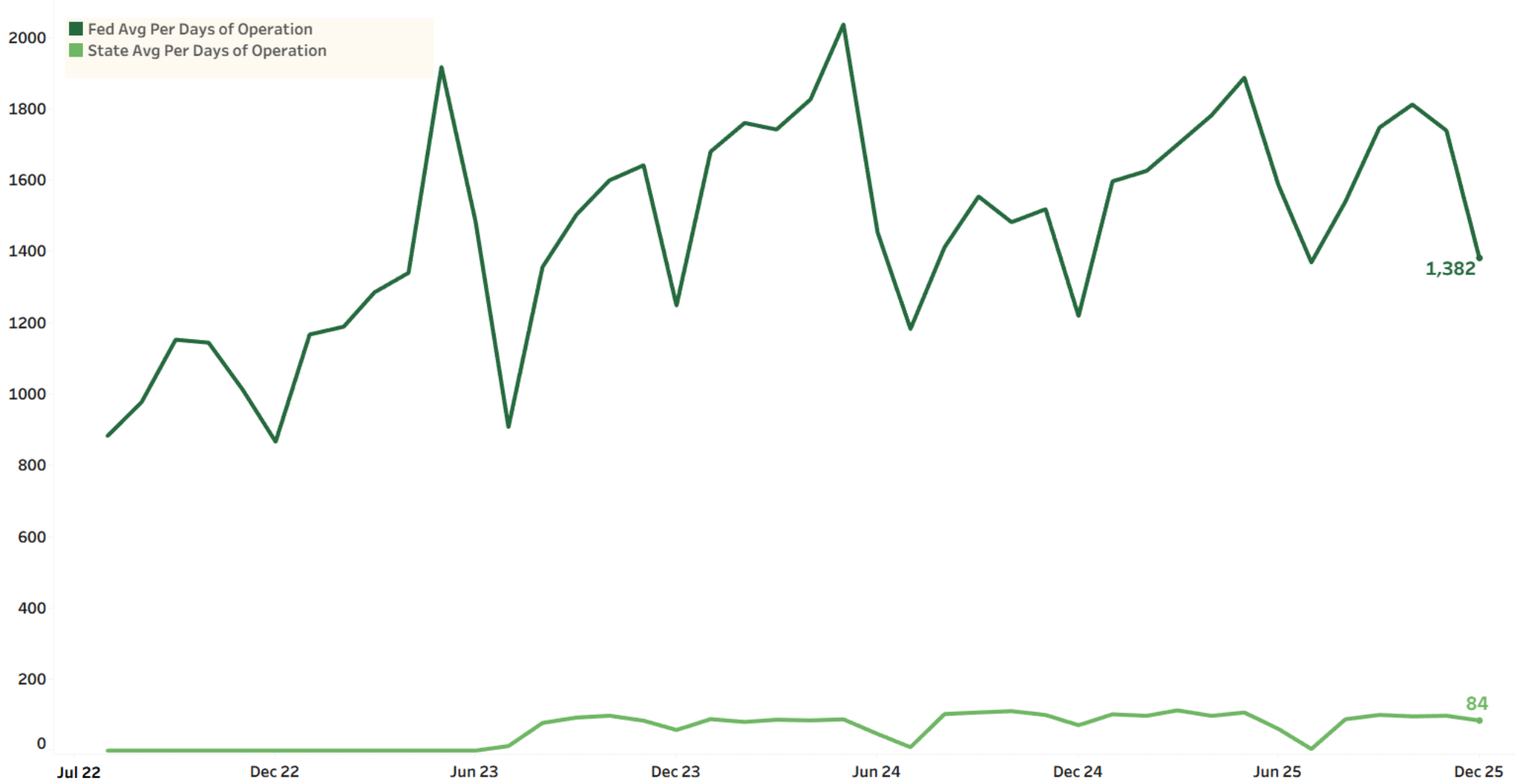
Average Center Meals & Snacks Per Day



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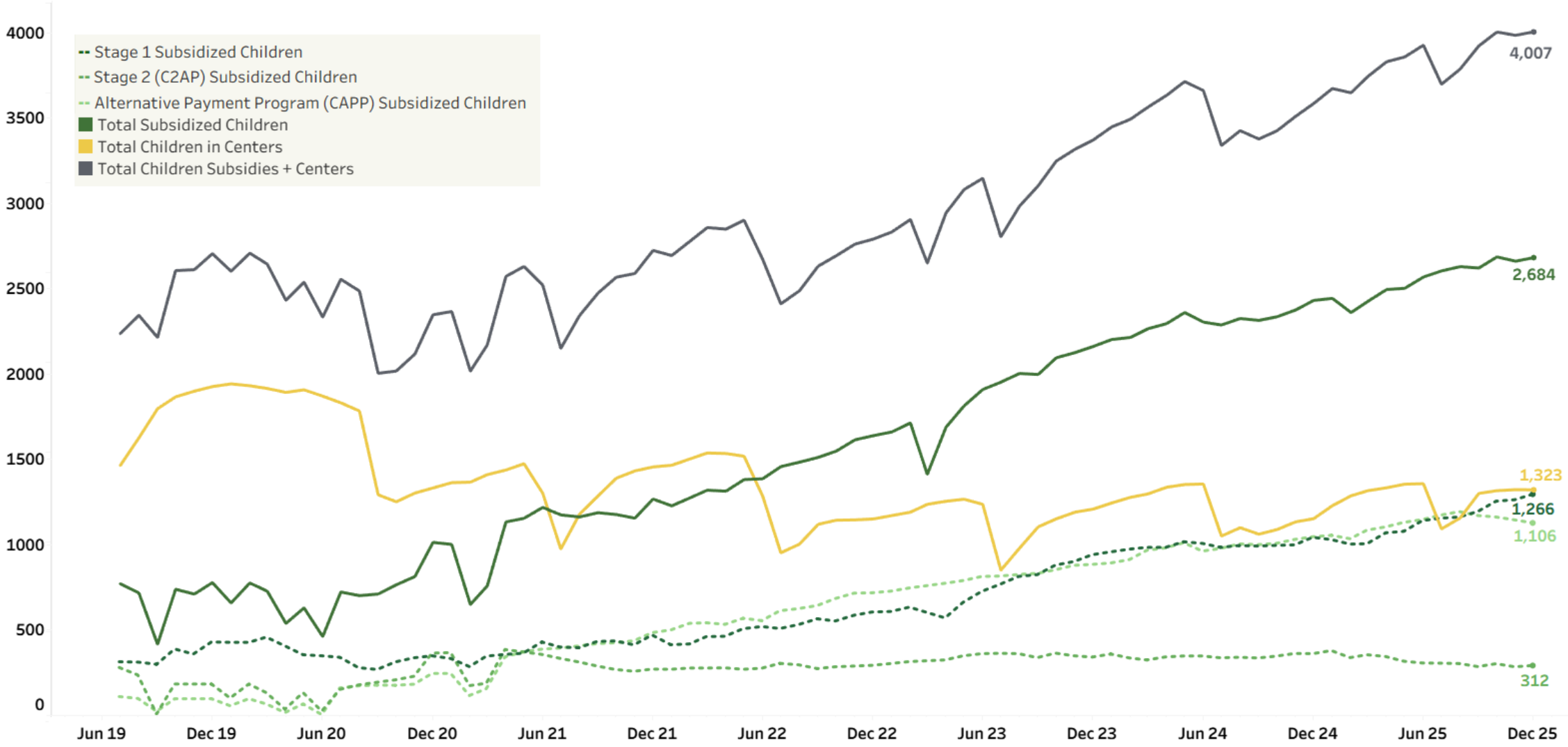
Vended Meal Services

Contract with vendor (Trio) began February 1, 2026 following Board approval on January 20, 2026 (C31).

Children Served in Child Care



"Total Children in Centers" includes children enrolled with federal (Head Start/Early Head Start) and state (CCTR, CSPP) funding sources.

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- Federal Environment Updates
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- Monitoring
- Official Funder Communication
- Recommendation
- Appendices

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January 2026 Policy Council Actions

The Head Start Policy Council convened on January 21, 2026. Key actions included:

- Received update on Head Start Annual Report (shared with the Board of Supervisors January 20, 2026)
- Received standard monthly administrative, fiscal, and child nutrition reports
- No recommended actions for the Board of Supervisors

- Federal Environment Updates
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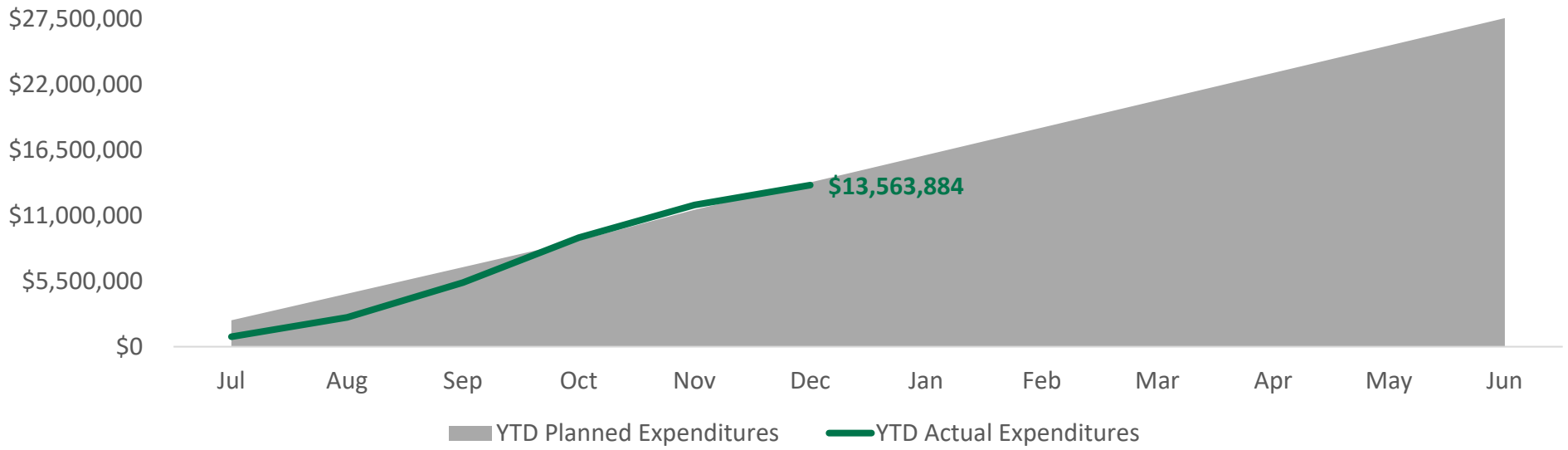
Head Start Budget Expenditures



Category	FY25-26 Funding	Dec 2025 Expenditures	YTD Expenditures	Remaining Balance
Total Federal Funding	$20,577,342	$1,331,136	$10,669,689	$9,907,653
Required Non-Federal Share	$5,144,336	$344,789	$2,679,428	$2,464,908
Measure X Overmatch*	$1,859,690	$0	$214,767	$1,644,923
Total Federal and Non-Federal	**$27,581,368**	**$1,675,925**	**$13,563,884**	**$14,017,484**

*Measure X Overmatch includes roll over funds as of 1/20/26.

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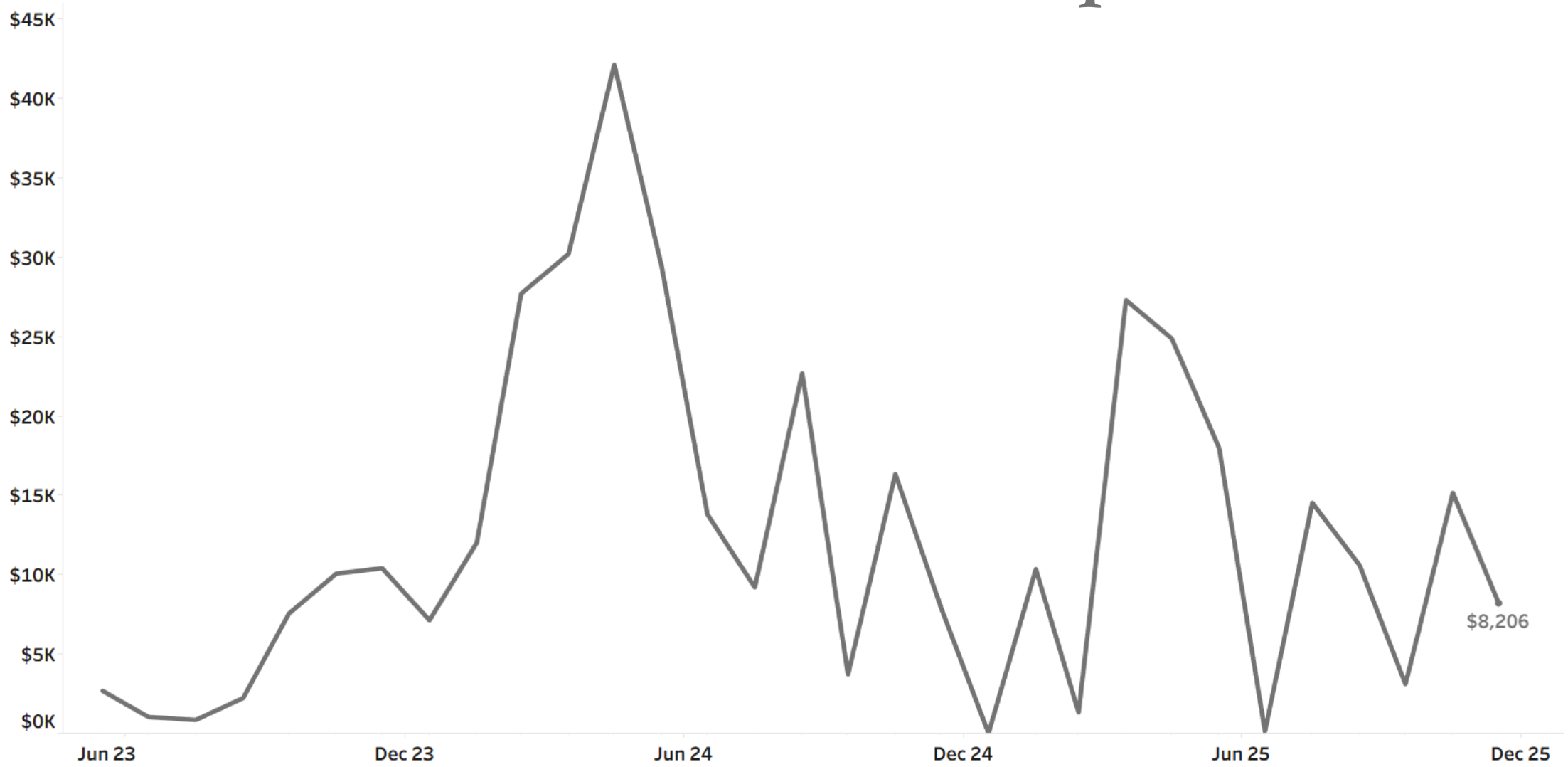
Head Start Credit Card Expenditures



All credit card expenditures are made by authorized staff for budgeted purchases to support reasonable program expenditures.

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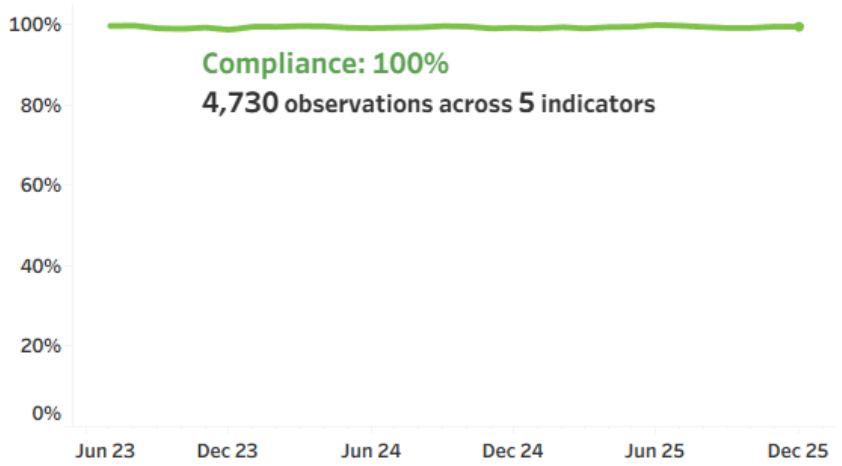
OHS FY26 Federal Monitoring Review

Notified on November 21, 2025 of our scheduled Focus Area 1 (FA1) review. Review conducted January 6-8, 2026.

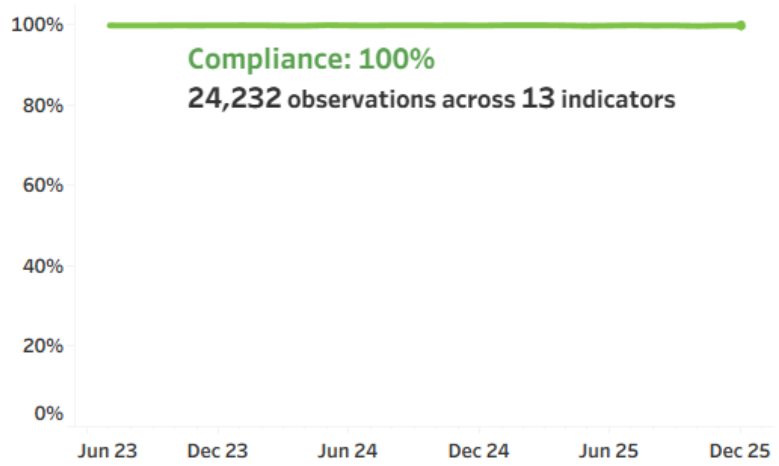
Results expected in coming months.

Health and Safety Compliance

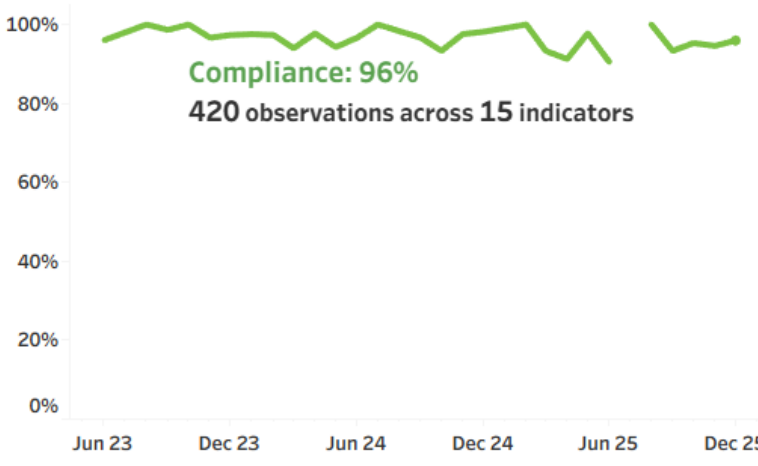
Daily Playground Safety



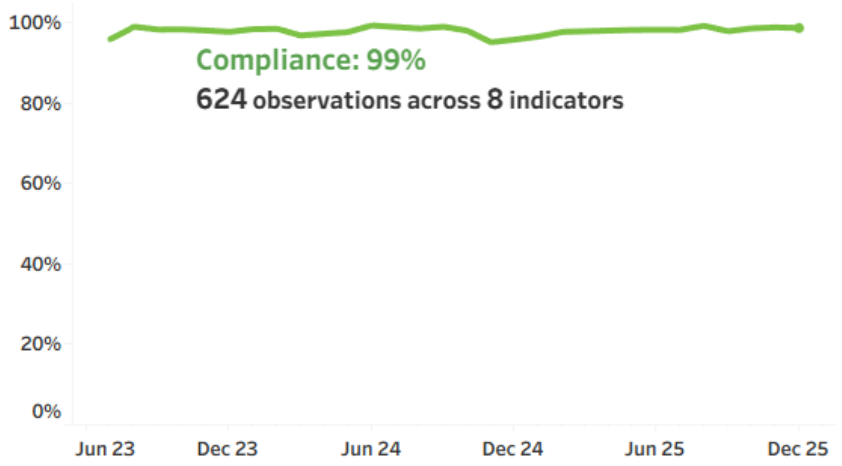
Daily Classroom Health & Safety



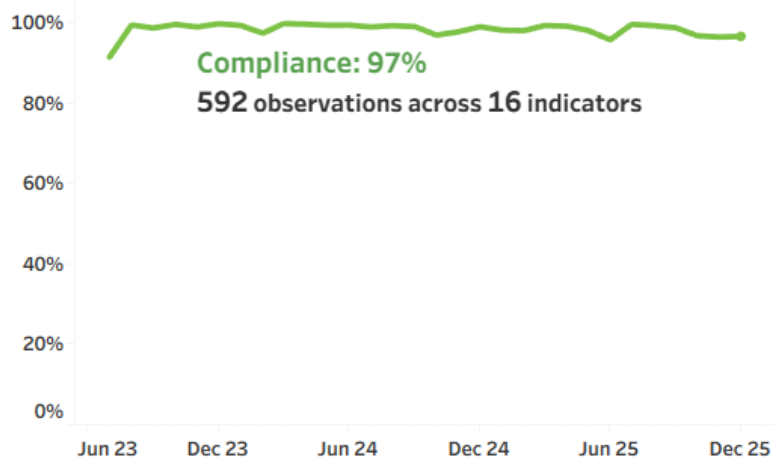
Child Transition & Safety



Weekly Facility Safety



Monthly Playground Safety



Indicators with non-compliance rates over 10% in Dec 2025:

1. Wood on playground equipment: There are no splinters, cracks, rotting, or sharp ends. (5/37 = 14%)
2. Safe environments are evident and promote active supervision of all children. (4/28 = 14%)
3. The most recent site Weekly Facility Tool, Daily Classroom Health & Safety Checklist, and Daily Playground Checklist accurately reflect your observation today. (3/28 = 11%)
4. Current lesson plan is posted and includes individualization activities and at least 1 Health & Safety component. (3/28 = 11%)

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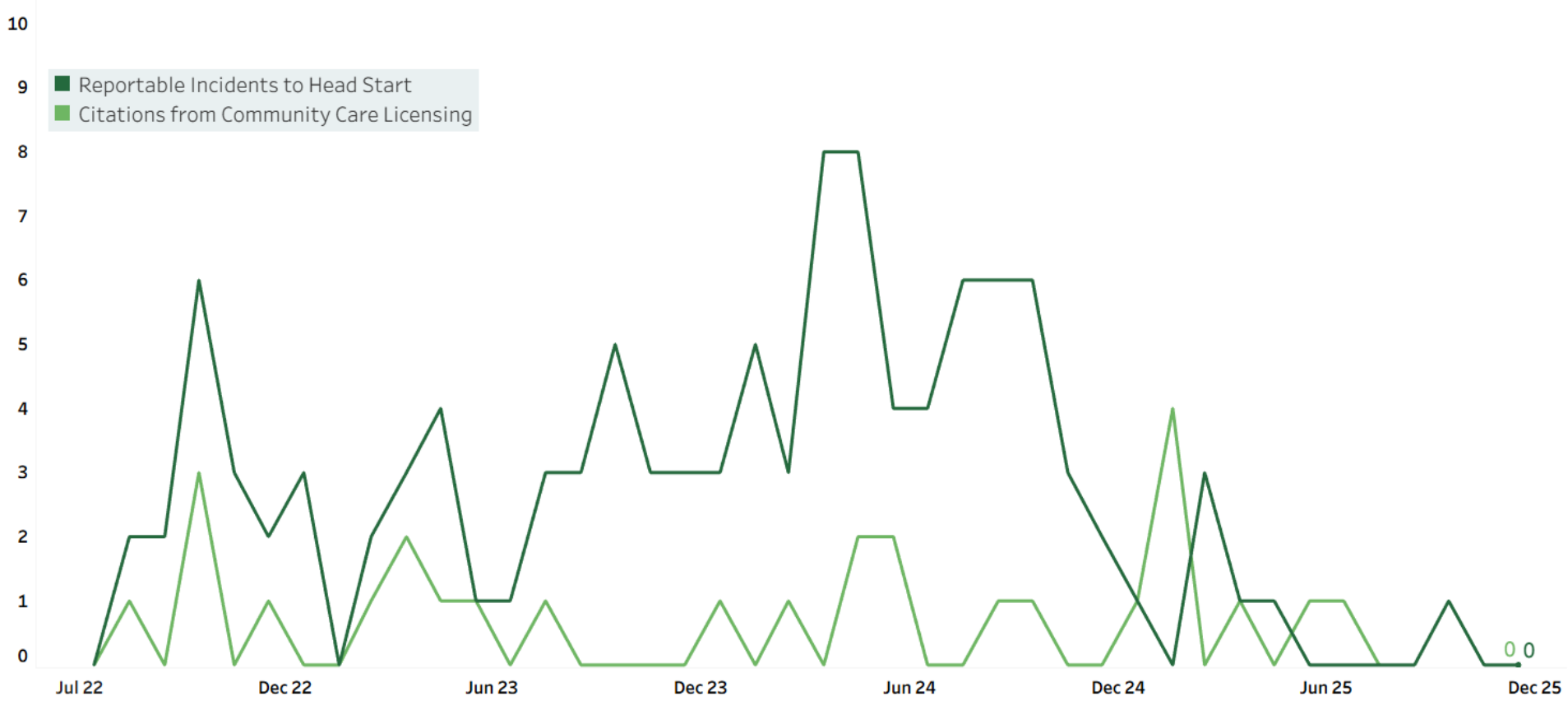
Reportable Incidents & Citations



Reportable incidents as defined by the Office of Head Start (OHS)
OHS considers a "significant incident" to be any incident that results in serious injury or harm to a child, violates Head Start standards of conduct at 45 CFR §1302.90(c), or results in a child being left alone, unsupervised, or released to an unauthorized adult. A program must report all significant incidents affecting the health and safety of children with 7 days.

California Department of Social Services Community Care Licensing Citations
Type A: An immediate risk to the health, safety or personal rights of children in care.
Type B: If not corrected right away, may be a risk to the health, safety, and personal rights of the children in care.

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- Federal Environment Updates
- Child Care Center Services
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- Budget
- Monitoring
- Official Funder Communication
- Recommendation
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Building Brighter Futures Together

OHS Funding Guidance Letter

Date issued: January 12, 2026

Subject: Funding Guidance Letter - Annual - 09CH012839

Information: Provides guidance for submitting our FY26-27 non-competitive continuation grant application by April 1, 2026. Our annual funding level is $20,577,342 to support 764 Head Start and 437 Early Head Start slots each month.

Action: Staff are preparing the grant application to include in our March 17, 2026 Board of Supervisors presentation for approval. It will go to the Policy Council for approval on March 18, 2026.

1. Funding Guidance Letter – Annual – 09CH012839

CDSS Child Care Bulletin 25-34

Child Care Bulletin 25-34 issued: December 23, 2025

Subject: Mandatory Transition to the Updated Desired Results Development Profile (DRDP) 2025

Information: Informs child care and development contractors of the implementation of the new DRDP 2025 as the official child assessment tool effective July 1, 2026. The transition to the DRDP 2025 tool aligns with California's commitment to quality improvement and equitable outcomes in early education.

Action: We are training staff on the new tool ahead of the transition date.

- Federal Environment Updates
- Child Care Center Services
- Policy Council Actions
- Budget
- Monitoring
- Official Funder Communication
- Recommendation
- Appendices

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Recommendation

CONSIDER accepting the monthly update on the activities and oversight of the County's Head Start Program and provide guidance, as recommended by the Employment and Human Services Director.

- Federal Environment Updates
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Building Brighter Futures Together

2026 Head Start Governance Updates Calendar

	Federal Requirement*	1/20/26	2/10/26	3/17/26	4/14/26	5/19/26	6/23/26	7/14/26	8/25/26	9/15/26	10/20/26	11/17/26	12/15/26
1. Monthly Program Updates	HSA 642(d)(2) HSPPS 1301.2(b)(2)	Nov '25	Dec '25	Jan '26	Feb '26	Mar '26	Apr '26	May '26	Jun '26	Jul '26	Aug '26	Sep '26	Oct '26
2. Monthly Financial Updates	HSA 642(d)(2) HSPPS 1301.2(b)(2)	Nov '25	Dec '25	Jan '26	Feb '26	Mar '26	Apr '26	May '26	Jun '26	Jul '26	Aug '26	Sep '26	Oct '26
3. Funder Communications	HSA 642(d)(2) HSPPS 1301.2(b)(2)	Dec '25	Jan '26	Feb '26	Mar '26	Apr '26	May '26	Jun '26	Jul '26	Aug '26	Sep '26	Oct '26	Nov '26
4. Annual HS Governance and Eligibility Training	HSA 642(d)(3) HSPPS 1301.5, 1302.12(m)		Training										
5. Annual Goals and Objectives (included in Grant application)	HSPPS 1302.102(a)			Approval Item									
6. Annual Non-Competitive Grant Renewal Application	HSA 642(c)(1)(E) HSPSS 1301.2(b)(1)			Approval Item									
7. Annual Community Needs Assessment	HSA 640(g)(1)(C) HSPPS 1302.11(b), 1302.102(d)(2)			Share Results									
8. Annual Self-Assessment	HSA 642(d)(2) HSPPS 1302.102(b)(2)			Approval Item									
9. Annual Selection Criteria and Recruitment Plan	HSA 642(c)(1)(E) HSPPS 1302.13, 1302.14(a)						Approval Item						
10. FY26-27 Planning Calendar	HSA 640(g)(1)(D) HSPPS 1302.11(b), 1302.102(d)(2)						Approval Item						
11. Annual County Single Financial Audit	HSA 642(d)(2) HSPPS 1301.2(b)(2)						Approval Item*						
12. Annual Program Information Report	45 CFR Part 75											Share Results	

As Needed

CSB Agency Policies (HSA 642(c)(1)(E)). Results from Head Start Monitoring Activities (HSA 641(A)(c)).

Contra Costa County Resolution 2023/274 includes all of these requirements.
*Pending approval by Finance Committee of FY24-25 Single Audit.

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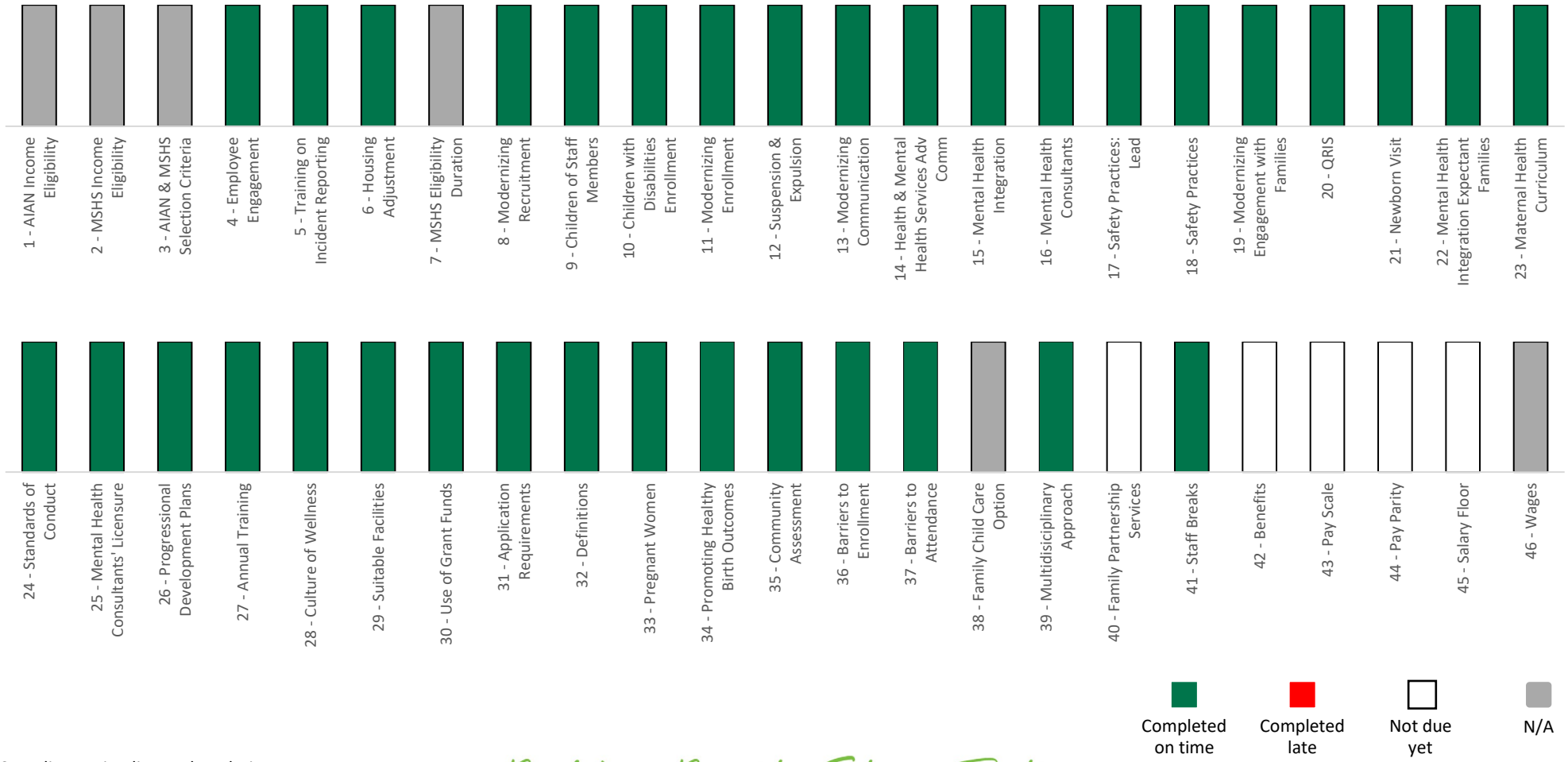
Planned

Completed

HSPPS Compliance Timeline Progress Chart



3. New HSPPS Compliance Timeline and Analysis

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ADMINISTRATION FOR CHILDREN & FAMILIES

Office of Head Start | 330 C St., SW, 4th Floor, Washington DC 20201 | headstart.gov

January 12, 2026

Grant No. 09CH012839

Dear Head Start Grant Recipient:

Your funding application for the upcoming budget period must be submitted by April 1, 2026. The following table reflects the annual funding and enrollment levels available to apply for:

Period of Funding: 07/01/2026 - 06/30/2027

Annual Funding	Head Start	Early Head Start
Program Operations	$10,186,706	$10,124,485
Training and Technical Assistance	$147,714	$118,437
Total Funding		**$20,577,342**

Enrollment Levels	Head Start	Early Head Start
Federal Funded Enrollment	764	437

Application Submission Requirements

The application must be prepared and submitted in accordance with the Head Start Grant Application Instructions with Guidance, Version 4.0 (Application Instructions) for a continuation application. It must be submitted on behalf of the Authorizing Official registered in HSES. Incomplete applications will not be processed.

Application Instructions are available on the homepage and in the 'Resources' section of HSES. Please review the instructions carefully prior to preparing the application.

Funding is contingent upon the availability of federal funds and satisfactory performance under the terms and conditions of the Head Start award. Annual funding levels are subject to change because of Congressional action or program performance and may result in additional funding guidance from the Office of Head Start.

One-time Program Improvement or Health and Safety Requests

Grant recipients encountering program improvement needs that cannot be supported by the agency budgets or other resources are invited to apply for one-time funding. This funding must be applied for separately through the Supplement or Supplement-Facilities 1303 amendment

type in HSES. Please select the appropriate amendment based on the description.

Requests generally include but are not limited to:

- Facility projects (construction, purchase, or major renovations requiring 1303 applications)
- Minor repairs and enhancements
- Playground installations or upgrades
- Funding to support transportation needs with investments in buses or other vehicles necessary to operate the program
- Security and surveillance investments to assure maximum safety of children

Requests are prioritized and funded based on funding availability and may require additional time before a final decision.

For questions regarding application instructions or program improvement needs and requests, please use HSES Correspondence. For assistance submitting the application in HSES, contact help@hsesinfo.org or 1-866-771-4737.

Thank you for your cooperation and timely submission of the grant application.

Sincerely,

Office of Head Start

December 23, 2025

CALIFORNIA DEPARTMENT OF SOCIAL SERVICES

EXECUTIVE SUMMARY

CHILD CARE BULLETIN (CCB) NO. 25-34

(In this area, provide a brief high-level summary of who this letter is intended for, what this letter is about, and why the Department is issuing this letter.)

CDSS

CALIFORNIA HEALTH & HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES
744 P Street • Sacramento, CA 95814 • *www.cdss.ca.gov*

JENNIFER TROIA
DIRECTOR

GAVIN NEWSOM
GOVERNOR

December 23, 2025

CHILD CARE BULLETIN (CCB) NO. 25-34

GUIDANCE TYPE: DIRECTIVE

TO: ALL COUNTY WELFARE DIRECTORS
ALL COUNTY CHILD CARE COORDINATORS
ALL CHILD CARE AND DEVELOPMENT CONTRACTORS

SUBJECT: MANDATORY TRANSITION TO THE UPDATED DESIRED RESULTS DEVELOPMENT PROFILE (DRDP) 2025

APPLICABLE PROGRAMS: GENERAL CHILD CARE AND DEVELOPMENT PROGRAMS
MIGRANT CHILD CARE AND DEVELOPMENT PROGRAMS
CHILD CARE AND DEVELOPMENT PROGRAMS FOR CHILDREN WITH SPECIAL NEEDS
FAMILY CHILD CARE HOME EDUCATION NETWORKS

REFERENCE: 5CCR § 18270.5; 5 CCR § 18272 DEVELOPMENT PROFILE; 5 CCR § 18274 STAFF DEVELOPMENT PROGRAM; 5 CCR § 18279 PROGRAM SELF EVALUATION PROCESS; 5 CCR § 18280 PARENT SURVEY; 5 CCR § 18281 ENVIRONMENT RATING SCALES ; 42 U.S. CODE § 9858c; FEDERAL REGULATIONS TITLE 45 CFR PART 98

Purpose

The purpose of this Child Care Bulletin (CCB) is to inform General Child Care and Development (CCTR), Migrant General Child Care and Development (CMIG), Family Child Care Home Education Networks (CFCC), and Child Care and Development Programs for Children with Special Needs (CHAN) contractors about the updated Desired Results Developmental Profile (DRDP) 2025. Effective July 1, 2026, the DRDP 2025 will be the child assessment tool that must be used by CCTR, CMIG, CHAN, and CFCC contractors. The DRDP is a cornerstone of California's quality improvement framework and ensures consistent, developmental assessment of all children served in publicly funded programs.

This transition aligns with California's commitment to quality improvement and creating early education systems where every child is valued and supported to succeed.

Background

The DRDP is a document that records information in a child's developmental profile (5 CCR, § 18270.5(b)) A "developmental profile" is defined as:

> "… a record of a child's physical, cognitive, social, and emotional development that is used to inform teachers and parents about a child's developmental progress in meeting desired results. In center-based programs, teacher and parent observations shall be included as part of the information used to complete the child's developmental profile. In family child care home networks, the observations of agency staff, in consultation with providers, and parents shall be included as part of the information used to complete the child's developmental profile."

The DRDP was revised in 2025 and includes updates informed by current research and early education staff feedback from the field to improve alignment with California Preschool/Transitional Kindergarten Foundations, Infant/Toddler Learning and Development Foundations and Head Start Early Learning Outcomes: Ages Birth to Five Framework. The Child Care and Development Division (CCDD) adopted DRDP 2025 as the official developmental assessment tool for CCTR, CMIG, CFCC, and CHAN contractors.

The federal Child Care and Development Block Grant Act of 2014, codified at 42 U.S.C. § 9857 *et seq.*, and implemented through Title 45 of the Code of Federal Regulations (45 CFR) Part 98, requires states to ensure access to high-quality early learning environments for children through developmentally appropriate practices, developmental screenings, appropriate assessments, individualized instruction, and provider training. Consistent with these requirements, the DRDP 2025 supports practices serving children with diverse learning needs, including dual language learners and children with disabilities.

Guidance

Effective July 1, 2026, CCTR, CMIG, CFCC, and CHAN contractors benefiting from CCDD funds must:

1. Complete the age-appropriate DRDP 2025 view for each infant, toddler, preschooler and school-age child enrolled in the contracted center-based or family child care home education programs for at least ten hours per week (5 CCR § 18272(a));
2. Complete the DRDP 2025 with any necessary accommodation and adaptations for each child with exceptional needs, even if the child is enrolled for less than ten hours per week (5 CCR § 18272(d));
3. Complete an age-appropriate DRDP 2025 view within 60 calendar days of a child's enrollment date. Contractors must complete age-appropriate DRDP 2025 view

assessments at least once every six months for infants, toddlers, preschoolers and school-age children (5 CCR § 18272(b));

4. Use the DRDP Online System to document, store, analyze assessment data and generate child and parent's progress and guidance reports;
5. Apply the Desired Results Developmental Profile (DRDP) 2025 results and outcomes to plan and conduct age and developmentally appropriate activities, and guide individualized learning opportunities, communication, and family communication (5 CCR § 18272(c));
6. Identify staff training needs, provide training by authorized trainers, and utilize appropriate support provided through CDSS-approved professional training opportunities. Additional information regarding support and CDSS-approved professional training is described below (5 CCR § 18274); and
7. Include in its program a parent involvement and education component. As part of this requirement, contractors must: conduct an orientation for parents which must include specified topics, hold at least two individual conferences with the parents of children per year to discuss each child's developmental progress and needs, provide opportunities for parents to meet with program staff, include an open door policy that encourages parents to participate in daily activities when possible.
8. Develop and implement annual plans for program self-evaluation, and it is recommended that they utilize available training and support resources and consult with their assigned Program Quality and Improvement (PQI) Consultants when additional assistance is needed to address identified areas requiring improvement (5 CCR 18279)

Contract Monitoring and Program Self-Evaluation

The CDSS will monitor and provide technical assistance on the DRDP 2025 requirements through the contract monitoring review process using the Program Integrity Monitoring Tool. The annual program self-evaluation requirements include analyzing DRDP data and using the information to develop program goals. The monitoring review process includes reviewing documentation verifying the contractor's implementation of the DRDP, Education Program, Environment Rating Scales, and Program Self-Evaluation requirements. 5 CCR§ 18281 and 18279 respectively).

Contractors are required to develop and implement annual plans for program self-evaluation, and it is recommended that they utilize available training and support, as well as consult with their assigned PQI Consultants when additional assistance is needed to address identified areas for improvement (5 CCR § 18279). Beginning July 1, 2026, the use of the DRDP 2025 will also be reviewed as part of contract monitoring, with consultants

providing support and technical assistance to ensure successful DRDP 2025 implementation.

Support and CDSS-Approved Training

West Ed is contracted to conduct DRDP 2025 Training of Trainers (ToTs) and will develop and deliver DRDP training content, including in-person or virtual training sessions and webinars through the California Early Childhood Online platform. The CDSS will collaborate with WestEd's Desired Results Training and Technical Assistance team to provide:

- DRDP 2025 training sessions (virtual and in-person)
- Updated implementation guidance and handbooks
- Support with DRDP Online platform setup and data entry
- Regional technical assistance and office hours

Contractors are encouraged to begin transition planning immediately and ensure all staff are trained in the new DRDP (2025) prior to the implementation deadline of **July 1, 2026**.

If you are a contractor and have any questions regarding the information in this CCB, contact your assigned Program Quality and Improvement Consultant. The list of assigned consultants can be found on the Child Care and Development Contacts.

For any further questions or any additional guidance regarding the information in this letter, email CRRP@dss.ca.gov.

Sincerely,

Original Document Signed By

LUPE JAIME MILEHAM, EdD
Deputy Director
Child Care and Development Division

Updated Head Start Program Performance Standard Requirements

Background: The office of Head Start published timelines by which grant recipients must comply with the Head Start Program Performance Standards updated in the final rule, Supporting the Head Start Workforce and Consistent Quality Programming. The final rule was published in the Federal Register on August 21, 2024.

No.	Performance Standard Summary	Compliance Date*	CCC Compliance Status	Description of Compliance / Recommended Actions
1	1302.12(e) AIAN Income Eligibility. All families in an American Indian and Alaska Native (AIAN) program's service area with age-eligible children, or pregnant women, are eligible for Head Start services, regardless of income.	3/1/2024	n/a	CCC does not operate an AIAN program.
2	1302.12(f) MSHS Income Eligibility. Migrant and Seasonal Head Start (MSHS) programs may serve any child who has one family member whose income comes primarily from agricultural employment, regardless of total family income	3/1/2024	n/a	CCC does not operate a MSHS program.
3	1302.14(a)(2), (3) AIAN and MSHS Selection Criteria. Tribes may prioritize children in families for which a child, a family member, or a member of the same household, is a member of an Indian tribe. MSHS programs may give priority to children whose families can demonstrate they have relocated frequently within the past two years to pursue agricultural work.	3/1/2024	n/a	CCC does not operate an AIAN or MSHS program.
4	1302.101(a)(2) Employee Engagement. A program must comply with enhanced requirements for employee engagement to promote more responsive management styles designed to identify and resolve barriers to high-quality job performance.	10/21/2024	Compliant	Supervisors are training in and exercise Reflective Supervision strategies to support meaningful and effective employee engagement and ongoing staff supervision. Upon hire, managers begin engagement through the onboarding process utilizing an orientation checklist specific to their job classification. Regular individual check-ins are facilitated by managers. Staff are engaged in goal-setting as a component of the annual performance evaluation.

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Updated Head Start Program Performance Standard Requirements

No.	Performance Standard Summary	Compliance Date*	CCC Compliance Status	Description of Compliance / Recommended Actions
5	1302.101(a)(5), 1302.102(d) Training on Incident Reporting. A program must submit reports, as appropriate, to the responsible HHS official immediately but no later than seven calendar days following a health or safety incident. All staff are required to be trained to implement reporting procedures.	10/21/2024	Compliant	In 2023 CSB revised its procedures for reporting incidents, establishing expectations which ensure HHS official notification no later than seven calendar days following a reportable health or safety incident.
6	1302.12(i)(1) Housing Adjustment. A program may adjust a family's income to account for excessive housing costs when determining eligibility.	10/21/2024	Compliant	Enrollment team screens families over 100% of the Federal Poverty Level (FPL) for housing costs exceeding 30% and has implemented use of a calculation spreadsheet to adjust income accordingly.
7	1302.12(j) MSHS Eligibility Duration. In MSHS programs, once an infant or toddler and their family are deemed eligible, they are eligible until they turn three years old. This is consistent with the requirement that children participating in the Early Head Start program remain eligible for the duration of the program.	10/21/2024	n/a	CCC does not operate a MSHS program.
8	1302.13 Modernizing Recruitment. A program must include modern technologies to encourage and assist families in applying for admission to the program, and to reduce the family's administrative and paperwork burden in the application and enrollment process.	10/21/2024	Compliant	The program has an existing process whereby families may submit an online application, call the enrollment hotline / Interactive Voice Response (IVR) system, and submit and/or sign eligibility documents electronically.
9	1302.14(a)(6) Children of Staff Members. A program may consider the enrollment of eligible children of staff members as part of the selection criteria	10/21/2024	Compliant	CCC's Selection Criteria was approved by the PC on 2/21/24 and BOS on 9/10/24 and is effective through 6/30/25. CCC may consider addition of children of staff members to the selection criteria when revising for the 2025-2026 program year.

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No.	Performance Standard Summary	Compliance Date*	CCC Compliance Status	Description of Compliance / Recommended Actions
10	1302.14(b)(1) Children with Disabilities Enrollment. A program must ensure at least 10% of its actual enrollment is filled by children eligible for services under the Individuals with Disabilities Education Act (IDEA).	10/21/2024	Compliant	CCC has historically met the 10% threshold when calculating percentage of children with a disability per cumulative enrollment. Our 2024 PIR indicated 13% of enrolled children had a disability.
11	1302.15(g) Modernizing Enrollment. A program must regularly examine their enrollment processes and implement any identified improvements to streamline the enrollment experience for families.	10/21/2024	Compliant	The enrollment process is analyzed on an ongoing basis in order to identify improvements to streamline enrollment. For the 2024-25 program year on-site enrollment clinics are being facilitated at centralized locations in areas of the county with high enrollment needs.
12	1302.17(a) Suspension and Expulsion. Suspension continues to be a measure of last resort only when there is a serious safety threat. Programs must first engage with a mental health consultant, collaborate with the parents, and use appropriate community resources. Programs must explore and document all steps taken to address the behaviors and supports needed to facilitate the child's safe reentry and continued participation in the program.	10/21/2024	Compliant	CSB's procedures currently align with this standard. CSB's step plan requires multidisciplinary efforts to support a child with continued program participation are sufficiently documented.

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13	1302.34(b)(9) Modernizing Communication. A program must ensure it uses accessible communication methods and modalities that meet the needs of the community when engaging with prospective and enrolled families.	10/21/2024	Compliant	As an outcome of 2019-2023 program goals, the enrollment process was modernized through use of innovative technologies: Interactive Voice Response (IVR) system, Short Messaging System (SMS), web-based application and resources page. Family meetings and trainings (including parenting curriculum) is offered in a virtual format. A communication survey is completed by families annually to ensure the program is utilizing communication methods that work best for enrolled families.
14	1302.40(b) Health and Mental Health Services Advisory Committee. Programs must establish and maintain a Health and Mental Health Services Advisory Committee.	10/21/2024	Compliant	An already established Health and Nutrition Services Advisory committee which meets twice annually. The next meeting, scheduled for 12/5/24, will take place under the new name: Health, Mental Health, and Nutrition Services Advisory Committee.
15	1302.41, 1302.42(b), 1302.46(b) Mental Health Integration. These program requirements consistently integrate mental health into all aspects of program service delivery.	10/21/2024	Compliant	The CCC HS program has been operated under a multidisciplinary approach, with high levels of collaboration among the designated Health and Mental Health content area managers. For example, CSB facilitates monthly managers meetings and joint family meetings. CSB's model for comprehensive service delivery positions assistant managers who are generalists and obtain training from specialists in the areas of Health and Mental Health.

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16	1302.45(b) Mental Health Consultants. A program must ensure mental health consultants provide consultation services that build the capacity of adults in a child's life to strengthen and support the mental health and social and emotional development of children.	10/21/2024	Compliant	The County's collaboration with the Early Childhood Mental Health Program
17	1302.47(b)(10) Safety Practices – Lead. In facilities where lead may exist, programs must regularly inspect and test for the presence of lead and, as needed, conduct remediation and abatement.	10/21/2024	Compliant	CCC HS centers follow California Health and Safety Code section 1597.16, which requires that all licensed Child Care Centers constructed before 1/1/2010, test their cold-water outlets used for drinking or cooking for lead by 1/1/23, and subsequent testing must occur every 5 years.
18	1302.47(b)(5) Safety Practices. Programs must ensure all staff, consultants, contractors, and volunteers follow appropriate practices to keep children safe. Aligns the definition of "child abuse and neglect" with Child Abuse Prevention and Treatment Act (another federal statute).	10/21/2024	Compliant	CSB revised its safety practices procedures in 2023, establishing a culture of safety including tools for active supervision and personal rights training. Annual trainings are provided which align with this standard.
19	1302.50(a) Modernizing Engagement with Families. Programs must communicate with families in a format that meets the needs of each individual family.	10/21/2024	Compliant	A communication survey is completed by families annually to ensure the program is utilizing communication methods that work best for enrolled families.
20	1302.53(b)(2) QRIS. Programs should participate in their Quality Rating and Improvement System (QRIS) to the extent practicable if the state or local area has strategies in place to support their participation.	10/21/2024	Compliant	CCC HS centers currently participate in QRIS.
21	1302.80(d) Newborn Visit. A newborn visit must, at minimum, include a discussion of the following: maternal mental and physical health, safe sleep, infant health, and support for basic needs.	10/21/2024	Compliant	Newborn visits include discussion of maternal mental and physical health, safe sleep, infant health, and support for basic needs.

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No.	Performance Standard Summary	Compliance Date*	CCC Compliance Status	Description of Compliance / Recommended Actions
22	1302.81 Mental Health Information and Services Integration for Expectant Families. Programs must ensure the required prenatal and postpartum information, education, and services are provided to enrolled pregnant women, mothers, fathers, and partners or other family members.	10/21/2024	Compliant	Services to pregnant women include prenatal and postpartum information and education are provided to families enrolled through the County's partnerships with Aspiranet and Mount Diablo Unified School District.
23	1302.82(a) Maternal Health Curriculum. If a program uses a curriculum in the provision of services to pregnant women and pregnant people, it should be a maternal health curriculum to support prenatal and postpartum education needs.	10/21/2024	Compliant	The Growing Great Kids® curriculum includes prenatal health and postpartum education.
24	1302.90(c) Standards of Conduct. Programs must ensure that staff, consultants, contractors, and volunteers do not maltreat or endanger the health or safety of children, and that they report reasonably suspected or known incidents of child abuse and neglect.	10/21/2024	Compliant	CSB standards of conduct, signed by all staff, consultants and volunteers annually.
25	1302.91(e)(8)(ii) Mental Health Consultants' Licensure. A program must ensure all mental health consultants are licensed or under the supervision of a licensed mental health professionals. Programs also must use mental health consultants with knowledge of and experience in serving young children and their families.	10/21/2024	Compliant	CCC partners with Early Childhood Mental Health Program for mental health consultation services. Licensure is a component of the contract.
26	1302.92(b)(1) Professional Development Plans. Programs must develop professional development plans for full-time staff providing direct services to children, as required in Section 648A(f) of the Head Start Act.	10/21/2024	Compliant	Professional development plans are incorporated into the annual performance evaluation for staff in classifications providing direct services to children.
27	1302.92(b)(2–3) Annual Training. Programs must ensure staff receive annual training on: (1) Mandatory reporting; (2) Positive strategies to understand and support children's social and emotional development; and (3) The knowledge, experience, and competencies to improve child and family outcomes.	10/21/2024	Compliant	All 3 topics are incorporated into the annual training schedule.

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Updated Head Start Program Performance Standard Requirements

No.	Performance Standard Summary	Compliance Date*	CCC Compliance Status	Description of Compliance / Recommended Actions
28	1302.93(d) Culture of Wellness. A program should cultivate a program-wide culture of wellness that empowers staff as professionals and supports staff to effectively accomplish their job responsibilities in a high-quality manner.	10/21/2024	Compliant	A culture of wellness has been established and is maintained through work of CSB's wellness team, SIA, which focuses on Simple, Impactful and Actionable strategies to promote wellness. On 5/8/24, CSB facilitated an all-staff wellness event which included keynote speakers on DEI, training on stress reduction, as well as healthy cooking and painting sessions. CCC promotes wellness through offering a robust Employee Assistance Program (EAP).
29	1303.42 Suitable Facilities. Grant recipients are no longer required to have a written statement from an independent real estate professional confirming the lack of other suitable facilities in the area.	10/21/2024	Compliant	The CCC HS program will no longer request such written statements when submitting capital projects requests for applicable major renovation or construction projects utilizing federal funds.
30	1303.43 Use of Grant Funds. If a recipient seeks to use federal funds for reasonable fees and costs necessary to submit an application under §§1303.42 and 1303.44, they must be granted approval from the responsible HHS official. Once approval is granted, the funds are allowable regardless of the outcome of the preliminary eligibility determination.	10/21/2024	Compliant	CCC will request approval for use of federal funds for reasonable fees and costs necessary to submit a pre-approval application for major renovation or construction projects.
31	1303.44 Application Requirements. Programs must adhere to updated application requirements, including the facility's value and additional information HHS officials may request as part of the 1303 process.	10/21/2024	Compliant	CCC will comply with the revised 1303 pre-approval requirements when requesting to use federal funds for major renovation / construction projects.

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Updated Head Start Program Performance Standard Requirements

No.	Performance Standard Summary	Compliance Date*	CCC Compliance Status	Description of Compliance / Recommended Actions
32	1305.2 Definitions. Programs must use new and revised definitions for "Early Head Start", "Federal interest", "Grant recipient", "Head Start", "Head Start agency", "Head Start Preschool", "Housing costs", "Income", "Major renovations", "Migrant family", "Poverty line", "Purchase", and "Suspension".	10/21/2024	Compliant	CCC is using new and revised definitions under this section.
33	1302.80(e) Pregnant Women. A program must track and record services an enrolled pregnant woman or pregnant person receives, both from the program and through referrals, to help identify specific prenatal care services and resources needed to support a healthy pregnancy.	12/19/2024	Compliant	CCC currently maintains a record of services accessed by pregnant persons including rereferrals and services utilizing its child and family data system.
34	1302.80(f) Promoting Healthy Birth Outcomes. Programs must help address disparities in maternal and birth outcomes across racial and ethnic groups, using data to inform program services.	2/18/2025	Compliant	Through partnerships, CCC provides services to pregnant women which help address disparities in maternal and birth outcomes: (1) MDUSD Crossroads High School supports acheivement of high school diplomas and on-site prenatal and parenting classes to support posisitve outcomes among teen parents. (2) Aspiranet serves primarily Spanish-speaking families and adapts home visiting services based on needs assessment data collected from various screenings / assessments, including Life Skills Progression (LSP) and Patient Health Questionnaire (PHQ-4).
35	1302.11(b) Community Assessment. Programs must collect relevant data while maintaining the community assessment's content focus on geographic location, race, ethnicity, etc. Requires programs to conduct annual updates only as needed, such as if there are significant shifts in community demographics.	8/1/2025	Compliant	The program currently utilized a contractor who supplies a comprehensive community assessment with all required components annually.

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No.	Performance Standard Summary	Compliance Date*	CCC Compliance Status	Description of Compliance / Recommended Actions
36	1302.14(d) Barriers to Enrollment. A program is required to use data from the community assessment to identify potential barriers to enrollment and attendance, including using data to understand access to transportation for the highest need families.	8/1/2025	Compliant	CCC has a sytems in place for examining data on an ongoing basis and responding to potential barriers to enrollment and attendance.
37	1302.16(a)(2)(v) Barriers to Attendance. A program must examine barriers to regular attendance, such as access to safe and reliable transportation, and where possible, provide or facilitate transportation for the child if needed.	8/1/2025	Compliant	CCC has a sytems in place for examining data on an ongoing basis and responding to potential barriers to enrollment and attendance.
38	1302.23(b)(2–4) Family Child Care Option. Family child care (FCC) services must comply with specified child ratios and group sizes for programs. There is no longer reference to the term "assistant provider". All FCC providers who count toward ratios must meet the qualification requirements for FCC providers described in§1302.91(e)(4).	8/1/2025	n/a	CCC does not operate HS within the Family Child Care Option.
39	1302.45(a) Multidisciplinary Approach. Programs must use a multidisciplinary approach to mental health and wellness supports. Mental health consultation services must be available at a frequency of at least once a month; if a mental health consultant is not available to provide services at least once a month, programs must use other licensed mental health professionals or behavioral health support specialists who coordinate with a mental health consultant.	8/1/2025	Compliant	CCC partners with Early Childhood Mental Health Program (ECMHP) for mental health consultation services. The program revised its procedures to ensure oversight structure monitors for monthly availability of mental health consultation services. An expanded contract with ECMHP is anticipated to be approved by the BOS on 8/12/25.

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No.	Performance Standard Summary	Compliance Date*	CCC Compliance Status	Description of Compliance / Recommended Actions
40	1302.52(d) Family Partnership Services. Programs must ensure family service worker assignments do not exceed 40 families per family service worker. Programs may temporarily exceed the maximum during periods of staff absence and in emergency or recovery circumstances. A waiver is required to exceed the ratio of family assignments to family service worker if it will extend beyond a temporary period.	8/1/2027	In-Progress	On August 16, 2024, the Administration for Children and Families issued an award for the Head Start grant. On March 19, 2024 (D. 4), the Board of Supervisors approved the submission of the grant application which includes new positions. This budget includes an increase in Comprehensive Services (family service worker) positions to lower caseloads to 40 families.
41	1302.93(c) Staff Breaks. A program must provide, for each staff member, regular breaks of adequate length and frequency based on hours worked. During breaks, one teaching staff member may be replaced by one staff member who does not meet the teaching qualifications required for the age, provided that this staff member has the necessary training and experience to ensure safety of children and minimal disruption to the quality of services.	8/1/2027	Compliant	CCC complies with State and Federal requirements pertaining to staff breaks including meal breaks. Per the 2022-2026 Local One MOU employees are entitled to a rest break for each 4 hours of work. The program will identify how it may operationalize new flexibilities of allowing a staff member to provide classroom coverage who does not meet teaching qualifications.

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Updated Head Start Program Performance Standard Requirements

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42	1302.90(f) Benefits. For full-time staff (working 30 or more hours per week) the program must provide or facilitate access to affordable health care coverage, offer paid leave, and offer access to short-term, free or minimal cost behavioral health services. Part-time staff must be connected with health insurance options in the Marketplace. Programs must connect eligible staff with child care subsidy programs and the Public Service Loan Forgiveness Program. Small Head Start agencies with 200 or fewer slots are exempt from most of the benefits requirements, but these agencies must still make measurable improvement in benefits for Head Start staff over time.	8/1/2028	In-Progress	Staff scheduled to work at least 20 hours per week, CCC provides affordable health care coverage. Part-time staff are connected with health insurance options. The program is in the process of identifying a process which ensures staff are connected with child care subsidy programs and the Public Service Loan Forgiveness Program.
43	1302.90(e)(1) Pay scale. (i) By August 1, 2031, a program must implement a salary scale, salary schedule, wage ladder, or other similar pay structure for program staff salaries that incorporates the requirements in paragraphs (e)(2) through (4) of this section; reflects salaries or wages for all other staff in the program; promotes salaries that are comparable to similar services in relevant industries in their geographic area; and considers, at a minimum, responsibilities, qualifications, experience relevant to the position, and schedule or hours worked. (ii) After August 1, 2031, a program must review its pay structure at least once every 5 years to assess whether it continues to meet the expectations described in paragraph (e)(1)(i) of this section. (iii) A program must ensure that staff salaries are not in excess of level II of the Executive Schedule, as required in 42 U.S.C. 9848(b)(1).	8/1/2031	In-Progress	The Program will work with HR on a salary study which compares similar services in relevant industries in Contra Costa County. Salary study will be required every 5 years.

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44	1302.90(e)(2) Progress to pay parity for education staff with elementary school staff. (i) By August 1, 2031, a program must demonstrate it has made progress to parity with kindergarten through third grade teachers by ensuring that each Head Start teacher receives an annual salary that is at least comparable to the annual salary paid to preschool teachers in public school settings in the program's local school district, adjusted for responsibilities, qualifications, experience, and schedule or hours worked. A program may provide annual salaries comparable to a neighboring school district if the salaries are higher than a program's local school district, adjusted for role, responsibilities, qualifications, experience, and schedule or hours worked.	8/1/2031	In-Progress	The Program will work with HR on a salary study which compares CCC teacher salary to school district preschool teachers. The program in is the process of developing a process to ensure it regularly tracks data on how wages paid to their education staff compare to wages paid to preschool through third grade teachers in their local or neighboring school district.
45	1302.90 (3) Salary floor. By August 1, 2031, a program must ensure, at a minimum, the wage or salary structure established or updated under paragraph (e)(1)(i) of this section provides all staff with a wage or salary that is generally sufficient to cover basic needs such as food, housing, utilities, medical costs, transportation, and taxes, or would be sufficient if the worker's hourly rate were paid according to a full-time, full-year schedule (or over 2,080 hours per year). (4) Wage comparability for all ages served. A program must ensure the wage or salary structure established or updated under paragraph (e)(1)(i) of this section does not differ by age of children served for similar program staff positions with similar qualifications and experience.	8/1/2031	In-Progress	The Program will work with HR and labor on a salary study which compares salary structure to salary that is generally sufficient to cover basic needs. CCC currently has the same salary schedule for staff providing to instruction to all ages served.

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46	1302.90(e) Wages. Small Head Start agencies with 200 or fewer slots are exempt from most of the wage requirements, but these agencies must still develop or update a pay scale that promotes competitive wages for all staff, and make measurable progress toward reducing disparities in wages between Head Start educators and public preschool teachers over time. The final rule includes an option for the Secretary of the Department of Health and Human Services (HHS) to establish in 2028 a limited waiver process for most of the wage requirements for eligible programs, if the prior four years of appropriation increases for Head Start are less than an annual average of 1.3%.	8/1/2031	n/a	CCC HS program serves more than 200 slots.

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Staff Report

File #: 26-514 **Agenda Date:** 2/10/2026 **Agenda #:** D.5.

To: Board of Supervisors

From: Marla Stuart, Employment and Human Services Director

Report Title: Annual Head Start Governance Training

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

RECEIVE the Head Start Governance Training for the Board of Supervisors as required by the Head Start Act and the Head Start Program Performance Standards, and as recommended by the Employment and Human Services Director.

FISCAL IMPACT:

There is no fiscal impact.

BACKGROUND:

Head Start Program Performance Standard 1301.5 requires that the Board of Supervisors receive annual Head Start Governance Training and the Head Start Act Section 642(c) specifies the required contents. This is the 2026 Annual Training.

CONSEQUENCE OF NEGATIVE ACTION:

The County will not be in compliance with Head Start program requirements, which may jeopardize funding and successful 2024-2029 grant implementation.

CHILDREN'S IMPACT STATEMENT:

The services provided under this contract support all five of Contra Costa County's community outcomes: (1)"Children Ready for and Succeeding in School"; (2) "Children and Youth Healthy and Preparing for Productive Adulthood"; (3) "Families that are Economically Self-Sufficient"; (4) "Families that are Safe, Stable and Nurturing"; and (5) "Communities that are Safe and Provide a High Quality of Life for Children and Families".

Head Start a to Z

Head Start A to Z, 2.0
Governance Training

The Foundation for Successful Head Start Programs

Presented to the Contra Costa County Board of Supervisors

February 10, 2026

Early Childhood National Centers

NATIONAL CENTER ON

Program Management and Fiscal Operations

Governance Training Requirement

Head Start Program Performance Standard 1301.5 Training:

An agency must provide appropriate training and technical assistance or orientation to the governing body, any advisory committee members, and the policy council, including training on program performance standards and training indicated in §1302.12(m)* to ensure the members understand the information they receive and can effectively oversee and participate in the programs in the Head Start agency.

*This refers to eligibility and determination training

Head Start Eligibility Determination

- Age Eligibility:
  - Head Start 3- to 5-year-olds
  - Early Head Start 0- to 3-year-olds and pregnant mothers
- Categories of Eligibility:
  - Experiencing Homelessness
  - Foster Child
  - Family Income
  - Receiving Public Assistance (TANF, SSI, or SNAP)

Safeguards to Determining Eligibility

- CSB has policies in place to ensure all families and children are treated with respect and recognized for their individuality.
- All CSB staff are trained on HIPPA to ensure private information related to the family and child remains private and confidentiality is protected.
- Staff are trained on all current applicable regulations regarding eligibility and will not intentionally violate federal program regulations. Failure to do so could result in disciplinary action up to and including termination.
- Caregivers sign under penalty of perjury that the information they provide is true and correct to the best of their knowledge. Childcare services may be adversely affected for falsification of information on enrollment forms.

Six Guiding Principles for Governing Head Start Programs

1. Successful programs are learning organizations.

2. The effective delivery of services grows out of strong systems.

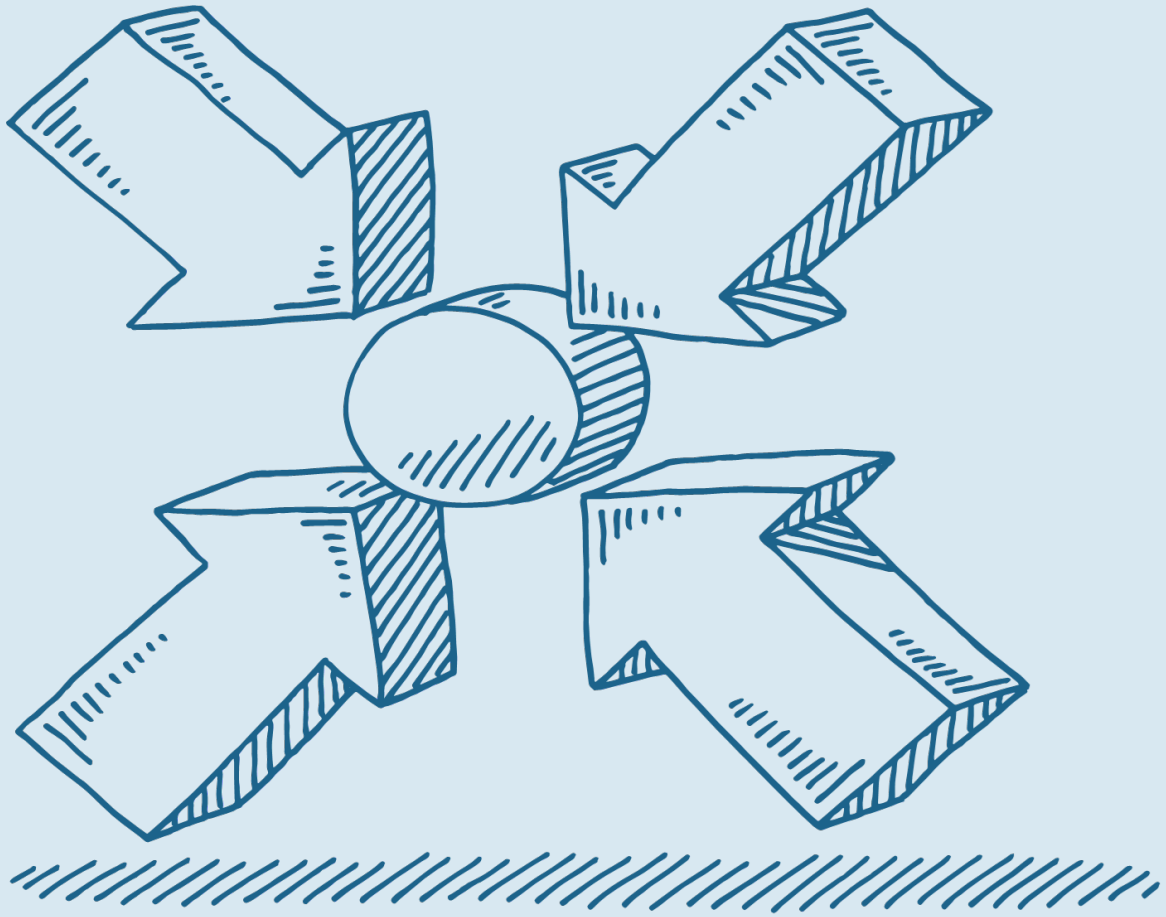
3. Sound decision-making is informed by quality data.

4. Relationship-building is at the heart of transformational leadership.

5. School readiness for all is our driving goal.

6. Culturally and linguistically responsive organizations rely on intentional, specific, and coordinated approaches.

Leadership and Governance



- Set program direction
- Exercise fiscal and legal oversight
- Create a balanced representation of voices that ensure stakeholder input and accountability to the community
- Bedrock of effective program management

Inclusive Leadership: Head Start Perspective

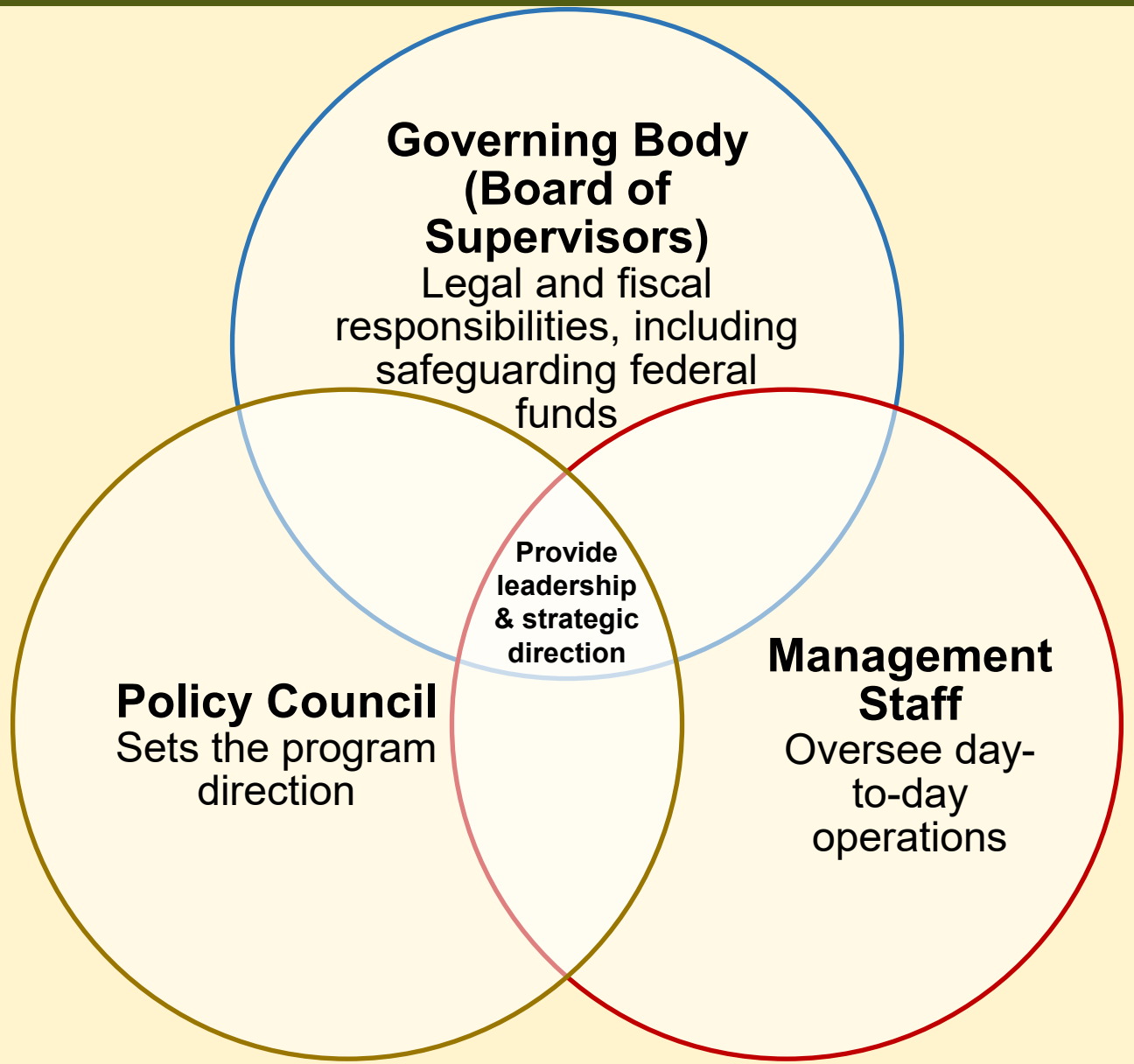
Keep in Mind

While Head Start program leadership is an inclusive process, the ultimate responsibility lies with the governing body.

Leadership vs. Management Techniques

Leadership	Management
1. Expanding boundaries	1. Working within boundaries
2. Influencing others	2. Controlling resources
3. Creating a vision of a possible future	3. Planning to reach goals
4. Committing to get the work done no matter what	4. Designing how and when work will be done
5. Emphasizing intuition	5. Emphasizing reason and logic
6. Deciding actions based on the envisioned future	6. Deciding actions based on the past
7. Pursuing enough data to decide now	7. Waiting for all relevant data before deciding
8. Assessing accomplishment against vision	8. Measuring performance against plans

Head Start Leadership and Governance



Head Start Governance Responsibilities – Board of Supervisors

Resolution No. 2023/274 aligns the Board of Supervisors' responsibilities with the requirements of the Head Start Program Performance Standards and Head Start Act and ensures that:

a. You have the legal and fiscal responsibility for administering and overseeing the program and safeguarding Federal funds.

b. You adopt practices that assure active, independent, and informed governance of the Head Start agency and fully participate in the development, planning, and evaluation of the Head Start programs involved.

c. You are responsible for ensuring compliance with Federal laws (including regulations) and applicable State, tribal, and local laws (including regulations).

Examples of Board Involvement in Oversight

	Federal Requirement*	1/20/26	2/10/26	3/17/26	4/14/26	5/19/26	6/23/26	7/14/26	8/25/26	9/15/26	10/20/26	11/17/26	12/15/26
1. Monthly Program Updates	HSA 642(d)(2) HSPPS 1301.2(b)(2)	Nov '25	Dec '25	Jan '26	Feb '26	Mar '26	Apr '26	May '26	Jun '26	Jul '26	Aug '26	Sep '26	Oct '26
2. Monthly Financial Updates	HSA 642(d)(2) HSPPS 1301.2(b)(2)	Nov '25	Dec '25	Jan '26	Feb '26	Mar '26	Apr '26	May '26	Jun '26	Jul '26	Aug '26	Sep '26	Oct '26
3. Funder Communications	HSA 642(d)(2) HSPPS 1301.2(b)(2)	Dec '25	Jan '26	Feb '26	Mar '26	Apr '26	May '26	Jun '26	Jul '26	Aug '26	Sep '26	Oct '26	Nov '26
4. Annual HS Governance and Eligibility Training	HSA 642(d)(3) HSPPS 1301.5, 1302.12(m)		Training										
5. Annual Goals and Objectives (included in Grant application)	HSPPS 1302.102(a)			Approval Item									
6. Annual Non-Competitive Grant Renewal Application	HSA 642(c)(1)(E) HSPSS 1301.2(b)(1)			Approval Item									
7. Annual Community Needs Assessment	HSA 640(g)(1)(C) HSPPS 1302.11(b), 1302.102(d)(2)			Share Results									
8. Annual Self-Assessment	HSA 642(d)(2) HSPPS 1302.102(b)(2)			Approval Item									
9. Annual Selection Criteria and Recruitment Plan	HSA 642(c)(1)(E) HSPPS 1302.13, 1302.14(a)						Approval Item						
10. FY26-27 Planning Calendar	HSA 640(g)(1)(D) HSPPS 1302.11(b), 1302.102(d)(2)						Approval Item						
11. Annual County Single Financial Audit	HSA 642(d)(2) HSPPS 1301.2(b)(2)						Approval Item*						
12. Annual Program Information Report	45 CFR Part 75											Share Results	

As Needed

CSB Agency Policies (HSA 642(c)(1)(E)). Results from Head Start Monitoring Activities (HSA 641(A)(c)).

Developing Procedures for Selection of Policy Council Members

1. **Parents of Currently Enrolled Children**

   At least 51% of the Policy Council seats must be filled by parents of children currently enrolled in Head Start (HS) or Early Head Start (EHS) program. Child care centers are allocated 1 seat for every 60 slots (HS and EHS combined). Primary and alternative representatives are nominated and elected by each center's parent committee. When the primary representative is unable to attend a meeting, the alternative representative will attend the meeting and vote in the primary's place.

2. **Past Parent Representative**

   Parents of children who formerly attended HS/EHS programs may serve on the Policy Council for a total of 5 years, inclusive of terms served while their children were enrolled. Past parents interested in serving submit a letter of interest to the Policy Council and are elected during the Policy Council Orientation Meeting.

3. **Community Agency Representative**

   Community Agency Representatives are members of local community agencies, selected by the Policy Council, that serve low-income children and families.

Strategies for Excellence in Oversight

1. Establishment of Board of Supervisors Head Start Committee

2. Each Board member shall visit at least one Head Start center in their district annually

3. Dedicated time for presentation once per month at a full Board of Supervisors meeting

Head Start Governance Responsibilities – Policy Council

The Policy Council is responsible for the direction of the Program, including Program design and operation, and long- and short-term planning goals and objectives, taking into account the annual communitywide strategic planning and needs assessment and self-assessment.

The Policy Council submits to the Board decisions about:

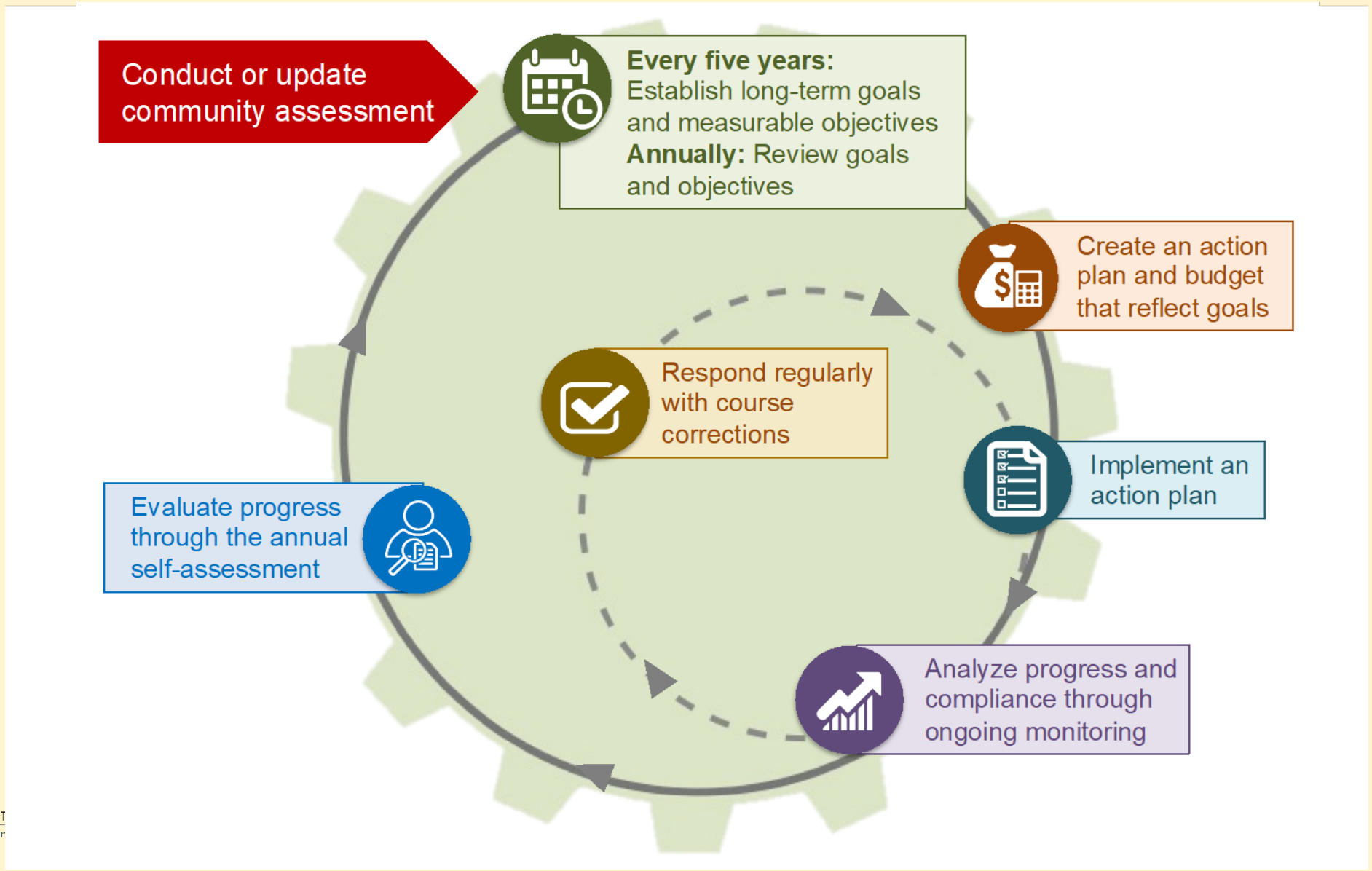
1. Activities to support active involvement of parents
2. Program recruitment, selection and enrollment priorities
3. Applications for funding and amendments
4. Budget planning for program expenditures
5. Policy Council bylaws, including procedures for how Policy Council members are elected
6. Program personnel policies

Head Start Governance Responsibilities – Executive Director

All duties and responsibilities assigned to the Executive Director do not replace the administrative responsibilities of the Board. The Executive Director has the following duties:

1. To carry out and implement the programmatic and fiscal obligations of the Head Start grant, as directed by the Board;
2. To access and collect information necessary for the Monthly Report and present the Monthly Report to the Board;
3. To hire, evaluate, and terminate Program employees, including the Head Start Director;
4. Implement Policy Council activities consistent with federal law;
5. Recommend any corrective actions required to improve program and fiscal operations; and
6. Ensure Head Start Program compliance.

Program Planning for Continuous Improvement



Key Messages

Individuals in leadership and governance roles must view their work through a systems lens.

Head Start management systems support leadership and governance functions.

Head Start leadership and governance rely on effective structures, processes, and relationships.

Leaders should proactively work to strengthen leadership and governance capacity.

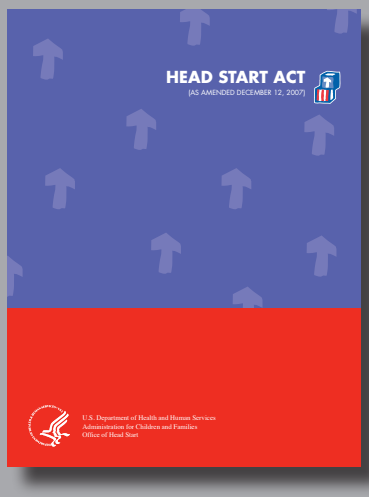
Thank you!

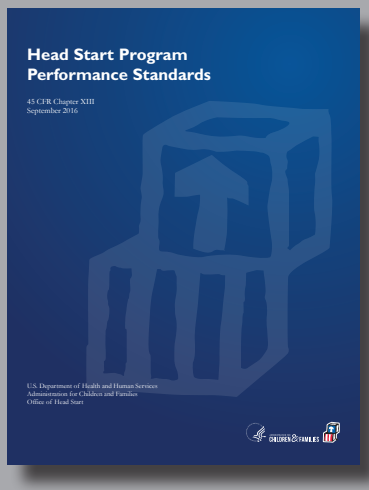
Thank you for your time today.

We invite any comments you may have.

Head Start Program Governance

Reference Book





Early Childhood National Centers

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Program Management and Fiscal Operations

Table of Contents

PART I.
Program Governance: Head Start Act

Governing Body Sec. 642 (c)(1).....3

A. In general 3
B. Composition..... 3
C. Conflict of interest 4
D. Exception..... 4
E. Responsibilities..... 5

Policy Council Sec. 642 (c)(2) 8

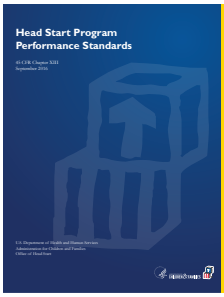
A. In general..... 8
B. Composition and selection 8
C. Conflict of interest..... 8
D. Responsibilities..... 8

Policy Committees Sec. 642 (c)(3) 9

Program Governance Administration Sec. 642(d)..... 10

1. Impasse policies..... 10
2. Conduct of responsibilities 10
3. Training and technical assistance 10

Table of Contents *continued*



PART II.
Program Governance:
Head Start Program Performance Standards

Purpose (45 CFR §1301.1) 11

Governing Body (45 CFR §1301.2) 12

a. Composition 12
b. Duties and responsibilities 12
c. Advisory committees 12

Policy Council and Policy Committee (45 CFR §1301.3) ...13

a. Establishing policy councils and policy committees 13
b. Composition 13
c. Duties and responsibilities 13
d. Term 14
e. Reimbursement 14

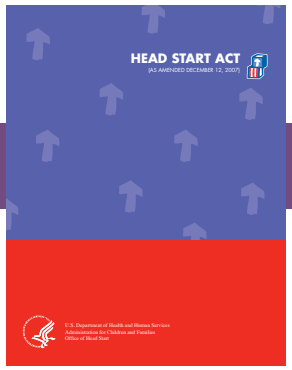
Parent Committees (45 CFR §1301.4) 15

a. Establishing parent committees 15
b. Requirements of parent committees 15

Training (45 CFR §1301.5) 15

Impasse Procedures (45 CFR §1301.6) 16

HEAD START ACT



Governing Body Sec. 642 (c)(1)

(c) Program Governance – Upon receiving designation as a Head Start agency, the agency shall establish and maintain a formal structure for program governance, for the oversight of quality services for Head Start children and families and for making decisions related to program design and implementation. Such structure shall include the following:

(1) GOVERNING BODY –

(A) In General – The governing body shall have legal and fiscal responsibility for the Head Start agency.

(B) Composition – The governing body shall be composed as follows:

(i) Not less than 1 member shall have a background and expertise in fiscal management or accounting.

(ii) Not less than 1 member shall have a background and expertise in early childhood education and development.

(iii) Not less than 1 member shall be a licensed attorney familiar with issues that come before the governing body.

(iv) Additional members shall—

(I) reflect the community to be served and include parents of children who are currently, or were formerly, enrolled in Head Start programs; and

(II) are selected for their expertise in education, business administration, or community affairs.

(v) Exceptions shall be made to the requirements of clauses (i) through (iv) for members of a governing body when those members oversee a public entity and are selected to their positions with the public entity by public election or political appointment.

(vi) If a person described in clause (i), (ii), or (iii) is not available to serve as a member of the governing body, the governing body shall use a consultant, or another individual with relevant expertise, with the qualifications described in that clause, who shall work directly with the governing body.

(C) Conflict of Interest – Members of the governing body shall:

(i) not have a financial conflict of interest with the Head Start agency (including any delegate agency);

(ii) not receive compensation for serving on the governing body or for providing services to the Head Start agency;

(iii) not be employed, nor shall members of their immediate family be employed, by the Head Start agency (including any delegate agency); and

(iv) operate as an entity independent of staff employed by the Head Start agency.

(D) Exception – If an individual holds a position as a result of public election or political appointment, and such position carries with it a concurrent appointment to serve as a member of a Head Start agency governing body, and such individual has any conflict of interest described in clause (ii) or (iii) of subparagraph (C)--

(i) such individual shall not be prohibited from serving on such body and the Head Start agency shall report such conflict to the Secretary; and

(ii) if the position held as a result of public election or political appointment provides compensation, such individual shall not be prohibited from receiving such compensation.

(E) Responsibilities – The governing body shall—

(i) have legal and fiscal responsibility for administering and overseeing programs under this subchapter, including the safeguarding of federal funds;

(ii) adopt practices that assure active, independent, and informed governance of the Head Start agency, including practices consistent with subsection (d)(1), and fully participate in the development, planning and evaluation of the Head Start programs involved;

(iii) be responsible for ensuring compliance with Federal laws (including regulations) and applicable state, tribal and local laws (including regulations); and

(iv) be responsible for other activities, including—

(I) selecting delegate agencies and the service areas for such agencies;

(II) establishing procedures and criteria for recruitment, selection, and enrollment of children;

(III) reviewing applications for funding and amendments to applications for funding for programs under this subchapter;

(IV) establishing procedures and guidelines for accessing and collecting information described in subsection (d)(2);

(V) reviewing and approving all major policies of the agency, including—

(aa) the annual self assessment and financial audit;

(bb) such agency's progress in carrying out the programmatic and fiscal provisions in such agency's grant application, including implementation of corrective actions; and

(cc) personnel policies of such agencies regarding the hiring, evaluation, termination, and compensation of agency employees;

(VI) developing procedures for how members of the policy council are selected, consistent with paragraph(2)(B);

(VII) approving financial management, accounting, and reporting policies, and compliance with laws and regulations related to financial statements, including the –

(aa) approval of all major financial expenditures of the agency;

(bb) annual approval of the operating budget;

(cc) selection (except when a financial auditor is assigned by the State under State law or is assigned under local law) of independent financial auditors who shall report all critical accounting policies and practices to the governing body; and

(dd) monitoring of the agency's actions to correct any audit findings and of other actions necessary to comply with applicable laws (including regulations) governing financial statements and accounting practices;

(VIII) reviewing results from monitoring conducted under section 641A(c) including appropriate follow-up activities;

(IX) approving personnel policies and procedures, including policies and procedures regarding the hiring, evaluation and compensation, and termination of the Executive Director, Head Start Director, Director of Human Resources, Chief Fiscal Officer, and any other person in an equivalent position with the agency;

(X) establishing, adopting, and periodically updating written standards of conduct that establish standards and formal procedures for disclosing, addressing, and resolving—

(aa) any conflict of interest, and any appearance of conflict of interest, by members of the governing body, officers and employees of the Head Start agency, and consultants and agents who provide services or furnish goods to the Head Start agency; and

(bb) complaints, including investigations, when appropriate; and

(XI) to the extent practicable and appropriate at the discretions of the governing body, establishing advisory committees to oversee key responsibilities related to program governance and improvement of the Head Start program involved.

Policy Council Sec. 642 (c)(2)

(A) In General – Consistent with paragraph (1)(E), each Head Start agency shall have a policy council responsible for the direction of the Head Start program, including program design and operation, and long- and short-term planning goals and objectives, taking into account the annual communitywide strategic planning and needs assessment and self-assessment.

(B) Composition and Selection –

(i) The policy council shall be elected by the parents of children who are currently enrolled in the Head Start program of the Head Start agency.

(ii) The policy council shall be composed of –

(I) parents of children who are currently enrolled in the Head Start program of the Head Start agency (including any delegate agency), who shall constitute a majority of the members of the policy council; and

(II) members at large of the community served by the Head Start agency (including any delegate agency), who may include parents of children who were formerly enrolled in the Head Start program of the agency.

(C) Conflict of Interest – Members of the policy council shall –

(i) not have a conflict of interest with the Head Start agency (including any delegate agency); and

(ii) not receive compensation for serving on the policy council or for providing services to the Head Start agency.

(D) Responsibilities – The policy council shall approve and submit to the governing body decisions about each of the following activities:

(i) Activities to support the active involvement of parents in supporting program operations, including policies to ensure that the Head Start agency is responsive to community and parent needs.

(ii) Program recruitment, selection, and enrollment priorities.

Policy Council Sec. 642 (c)(2) *continued*

(iii) Applications for funding and amendments to applications for funding for programs under this subchapter, prior to submission of applications described in this clause.

(iv) Budget planning for program expenditures, including policies for reimbursement and participation in policy council activities.

(v) Bylaws for the operation of the policy council.

(vi) Program personnel policies and decisions regarding the employment of program staff, consistent with paragraph (1)(E)(iv)(IX), including standards of conduct for program staff, contractors, and volunteers and criteria for the employment and dismissal of program staff.

(vii) Developing procedures for how members of the policy council of the Head Start agency will be elected.

(viii) Recommendations on the selection of delegate agencies and the service areas for such agencies.

Policy Committees Sec. 642 (c)(3)

(3) Policy Committees – Each delegate agency shall create a policy committee, which shall --

(A) be elected and composed of members, consistent with paragraph (2)(B) (with respect to delegate agencies);

(B) follow procedures to prohibit conflict of interest, consistent with clauses (i) and (ii) of paragraph (2)(C) (with respect to delegate agencies); and

(C) be responsible for approval and submission of decisions about activities as they relate to the delegate agency, consistent with paragraph (2)(D) (with respect to delegate agencies).

Program Governance Administration Sec. 642 (d)

(1) Impasse Policies – The Secretary shall develop policies, procedures, and guidance for Head Start agencies concerning

- **(A)** the resolution of internal disputes, including any impasse in the governance of Head Start programs; and
- **(B)** the facilitation of meaningful consultation and collaboration about decisions of the governing body and policy council.

(2) Conduct of Responsibilities – Each Head Start agency shall ensure the sharing of accurate and regular information for use by the governing body and policy council, about program planning, policies, and Head Start agency operations, including:

- **(A)** Monthly financial statements, including credit card expenditures;
- **(B)** Monthly program information summaries;
- **(C)** Program enrollment reports, including attendance reports for children whose care is partially subsidized by another public agency;
- **(D)** Monthly reports of meals and snacks provided through programs of the Department of Agriculture;
- **(E)** the financial audit;
- **(F)** the annual self-assessment, including any findings related to such assessment;
- **(G)** the communitywide strategic planning and needs assessment of the Head Start agency, including any applicable updates;
- **(H)** communication and guidance from the Secretary; and
- **(I)** the program information reports.

(3) Training and Technical Assistance – Appropriate training and technical assistance shall be provided to the members of the governing body and the policy council to ensure that the members understand the information the members receive and can effectively oversee and participate in the programs of the Head Start agency.

HEAD START PROGRAM PERFORMANCE STANDARDS

45 CFR §1301.1 Purpose.

An agency, as defined in part 1305 of this chapter, must establish and maintain a formal structure for program governance that includes a governing body, a policy council at the agency level and policy committee at the delegate level, and a parent committee. Governing bodies have a legal and fiscal responsibility to administer and oversee the agency's Head Start and Early Head Start programs. Policy councils are responsible for the direction of the agency's Head Start and Early Head Start programs.

45 CFR §1301.2 Governing body.

(a) Composition. The composition of a governing body must be in accordance with the requirements specified at section 642(c)(1)(B) of the Act, except where specific exceptions are authorized in the case of public entities at section 642(c)(1)(D) of the Act. Agencies must ensure members of the governing body do not have a conflict of interest, pursuant to section 642(c)(1)(C) of the Act.

(b) Duties and responsibilities.

(1) The governing body is responsible for activities specified at section 642(c)(1)(E) of the Act.

(2) The governing body must use ongoing monitoring results, data on school readiness goals, other information described in §1302.102, and information described at section 642(d)(2) of the Act to conduct its responsibilities.

(c) Advisory committees.

(1) A governing body may establish advisory committees as it deems necessary for effective governance and improvement of the program.

(2) If a governing body establishes an advisory committee to oversee key responsibilities related to program governance, it must:

(i) Establish the structure, communication, and oversight in such a way that the governing body continues to maintain its legal and fiscal responsibility for the Head Start agency; and,

(ii) Notify the responsible HHS official of its intent to establish such an advisory committee.

45 CFR §1301.3 Policy council and policy committee.

(a) Establishing policy councils and policy committees. Each agency must establish and maintain a policy council responsible for the direction of the Head Start program at the agency level, and a policy committee at the delegate level. If an agency delegates operational responsibility for the entire Head Start or Early Head Start program to one delegate agency, the policy council and policy committee may be the same body.

(b) Composition.

(1) A program must establish a policy council in accordance with section 642(c)(2)(B) of the Act, or a policy committee at the delegate level in accordance with section 642(c)(3) of the Act, as early in the program year as possible. Parents of children currently enrolled in each program option must be proportionately represented on the policy council and on the policy committee at the delegate level.

(2) The program must ensure members of the policy council, and of the policy committee at the delegate level, do not have a conflict of interest pursuant to sections 642(c)(2)(C) and 642(c)(3)(B) of the Act. Staff may not serve on the policy council or policy committee at the delegate level except parents who occasionally substitute as staff. In the case of tribal grantees, this exclusion applies only to tribal staff who work in areas directly related to or which directly impact administrative, fiscal, or programmatic issues.

(c) Duties and responsibilities.

(1) A policy council is responsible for activities specified at section 642(c)(2)(D) of the Act. A policy committee must approve and submit to the delegate agency its decisions in each of the following areas referenced at section 642(c)(2)(D)(i) through (vii) of the Act.

(2) A policy council, and a policy committee at the delegate level, must use ongoing monitoring results, data on school readiness goals, other information described in §1302.102, and information described in section 642(d)(2) of the Act to conduct its responsibilities.

(d) Term.

(1) A member will serve for one year.

(2) If the member intends to serve for another year, s/he must stand for re-election.

(3) The policy council, and policy committee at the delegate level, must include in its bylaws how many one-year terms, not to exceed five terms, a person may serve.

(4) A program must seat a successor policy council, or policy committee at the delegate level, before an existing policy council, or policy committee at the delegate level, may be dissolved.

(e) Reimbursement. A program must enable low-income members to participate fully in their policy council or policy committee responsibilities by providing, if necessary, reimbursements for reasonable expenses incurred by the low-income members.

45 CFR §1301.4 Parent committees.

(a) Establishing parent committees. A program must establish a parent committee comprised exclusively of parents of currently enrolled children as early in the program year as possible. This committee must be established at the center level for center-based programs and at the local program level for other program options. When a program operates more than one option, parents may choose to have a separate committee for each option or combine membership. A program must ensure that parents of currently enrolled children understand the process for elections to the policy council or policy committee and other leadership opportunities.

(b) Requirements of parent committees. Within the parent committee structure, a program may determine the best methods to engage families using strategies that are most effective in their community, as long as the program ensures the parent committee carries out the following minimum responsibilities:

(1) Advise staff in developing and implementing local program policies, activities, and services to ensure they meet the needs of children and families;

(2) Have a process for communication with the policy council and policy committee; and

(3) Within the guidelines established by the governing body, policy council or policy committee, participate in the recruitment and screening of Early Head Start and Head Start employees.

45 CFR §1301.5 Training.

An agency must provide appropriate training and technical assistance or orientation to the governing body, any advisory committee members, and the policy council, including training on program performance standards and training indicated in §1302.12(m) to ensure the members understand the information they receive and can effectively oversee and participate in the programs in the Head Start agency.

45 CFR §1301.6 Impasse procedures.

(a) To facilitate meaningful consultation and collaboration about decisions of the governing body and the policy council, each agency's governing body and policy council jointly must establish written procedures for resolving internal disputes between the governing board and policy council in a timely manner that include impasse procedures. These procedures must:

(1) Demonstrate that the governing body considers proposed decisions from the policy council and that the policy council considers proposed decisions from the governing body;

(2) If there is a disagreement, require the governing body and the policy council to notify the other in writing why it does not accept a decision; and,

(3) Describe a decision-making process and a timeline to resolve disputes and reach decisions that are not arbitrary, capricious, or illegal.

(b) If the agency's decision-making process does not result in a resolution and an impasse continues, the governing body and policy council must select a mutually agreeable third party mediator and participate in a formal process of mediation that leads to a resolution of the dispute.

(c) For all programs except American Indian and Alaska Native programs, if no resolution is reached with a mediator, the governing body and policy council must select a mutually agreeable arbitrator whose decision is final.

ADMINISTRATION FOR CHILDREN & FAMILIES

NATIONAL CENTER ON Program Management and Fiscal Operations

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https://eclkc.ohs.acf.hhs.gov/about-us/article/national-center-program-management-fiscal-operations-ncpmfo

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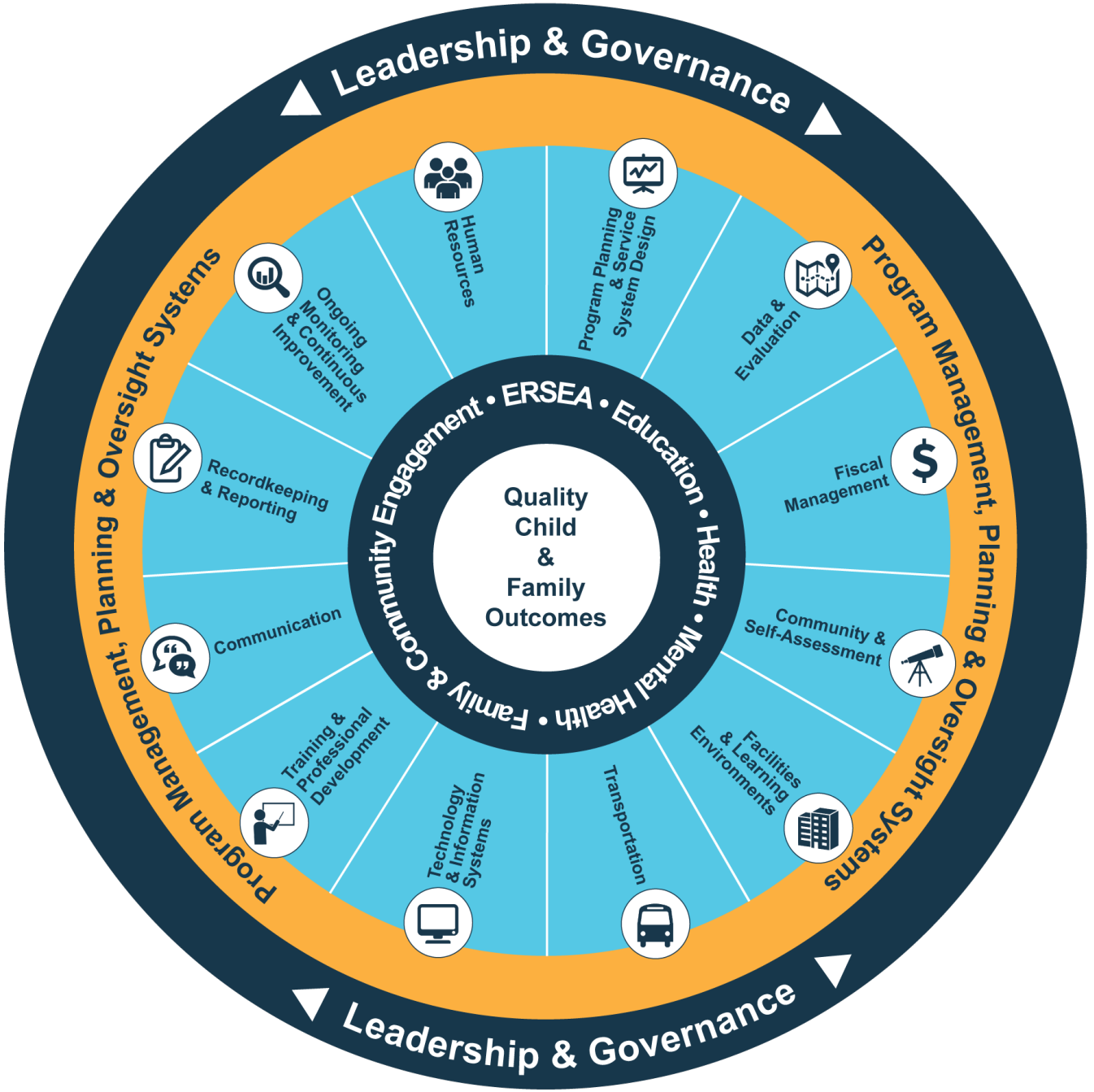
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Leadership & Governance
Program Management, Planning & Oversight Systems
Quality Child & Family Outcomes
Community Engagement • ERSEA • Education • Health • Mental Health • Family & Community Engagement
Human Resources
Program Planning & Service System Design
Data & Evaluation
Fiscal Management
Community & Self-Assessment
Facilities & Learning Environments
Transportation
Technology & Information Systems
Training & Professional Development
Communication
Recordkeeping & Reporting
Ongoing Monitoring & Continuous Improvement

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 26-515 **Agenda Date:** 2/10/2026 **Agenda #:** C.1.

To: Board of Supervisors

From: Greg Baer, Director of Airports

Report Title: Terminate Guaranty of Lease Associated with the Buchanan Fields Golf Club Lease

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE the rescission of the Guarantee of Lease executed by Mary Dodge and Michael Dodge as part of the Board approved Consent to Assignment for the Buchanan Fields Golf Club lease on October 12, 2023 (Pacheco Area).

FISCAL IMPACT:
There is no impact to the General Fund, nor the Airport Enterprise Fund.

BACKGROUND:
On October 12, 2023, the Board approved the assignment of the lease for the golf course located adjacent to the Buchanan Field Airport, from Buchanan Fields Golf Course, Inc. (Assignor) to Buchanan Fields Golf Club, LLC (Assignee). Because the Assignee (Golf Club) was a newly formed Limited Liability Corporation where its members did not have a long history in leasing and operating golf courses, County staff required a five-year personal guarantee for all payments due under the lease as a condition of the assignment. To meet the financial threshold needed to guarantee the lease, two partners, Mary Dodge and Michael Dodge each provided assets to secure the lease.

Since the Golf Club took over the lease and daily operations of the site, a tremendous amount of capital improvements and operational changes have been done to improve the 9-hole course and driving range. As a result of this transformation, the site has become much more active, resulting in substantially higher concession revenue for the Airport Enterprise Fund. The Golf Club has made all rent payments and quarterly concession payments in full, and on time.

Because of their flawless payment record and clear commitment to investing both time and money into their business and leasehold over the last two plus years, the Airports managements no longer see the need for the two personnel guarantees. To that end, the Director of Airports recommends Board approval to rescind the requirement for the guarantees.

CONSEQUENCE OF NEGATIVE ACTION:
The two separate personal guarantees would remain in effect until October 2028.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 26-516 **Agenda Date:** 2/10/2026 **Agenda #:** C.2.

To: Board of Supervisors

From: Shanelle Scales-Preston, District V Supervisor

Report Title: ALLOCATION RECOMMENDATION FROM THE COMMUNITY IMPACT FUND-SUPERVISORIAL DISTRICT V

☐Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

1. APPROVE allocations of Supervisorial District V Community Impact Funds in an aggregate amount of $20,760.00;

2. APPROVE AND AUTHORIZE the District V Supervisor, or designee, to enter into contracts related to the allocation of Community Impact Funds in an aggregate amount of $20,760.00 as outlined in Attachment A.

FISCAL IMPACT:

If the recommended allocations are approved, the District V Community Impact Fund will total $906,240.00.

BACKGROUND:

On June, 24, 2025, the Board allocated $1 million per Supervisorial District from COVID 19-FEMA Reserve funds (now General Fund Appropriation for Contingencies) for direction by each District Supervisor following a community engagement process with each Supervisorial District.

CONSEQUENCE OF NEGATIVE ACTION:

The Community Impact Fund allocations sponsored by Supervisorial District V will not be formally approved by the board.

District 5 Community Impact Fund

Supervisor Shanelle Scales-Preston
Recommendations for Funding
February 10, 2026- BOS Meeting

Organization	Program Brief	Awarded
Senior Center, City of Pittsburg	Senior Center, City of Pittsburg programs, such as Meals on Wheels, Young at Heart Strength Training, Everybody Loves Line Dance, play a vital role in promoting health, independence, and social connection for older adults and community members. **Young at Heart Strength Training** Young at Heart Strength Training is a low-impact fitness class designed for older adults who want to stay active, strong, and confident. The class focuses on improving muscle strength, balance, flexibility, and overall mobility using safe, age-appropriate exercises. Participants are encouraged to move at their own pace in a supportive and upbeat environment that promotes long-term health and independence. **Everybody Loves Line Dance** Everybody Loves Line Dance is a fun, energetic class that combines music, movement, and social connection. No partner or prior dance experience is needed—just a willingness to move and have fun. Line dancing helps improve coordination, balance, and cardiovascular health while creating a joyful, inclusive space for participants to connect and stay active. **Intergenerational Program (New Initiative)** We are excited to introduce a new intergenerational program designed to bring together participants of different ages to learn, connect, and build meaningful relationships through shared activities. This program encourages mutual learning, strengthens community bonds, and promotes understanding across generations. We	$20,760.00

	have been awarded funding to support program supplies; however, we are currently seeking a qualified facilitator to lead and guide this initiative.	
Total Amount		$20,760.00

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: RES 2026-32 **Agenda Date:** 2/10/2026 **Agenda #:** C.3.

To: Board of Supervisors

From: Marla Stuart, Employment and Human Services Director

Report Title: Proclaim February 2026 as Eligibility Work Month

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
ADOPT a resolution declaring February 2026 as Eligibility Work Month in Contra Costa County as recommended by the Employment and Human Services Director.

FISCAL IMPACT:
No fiscal impact for this action.

BACKGROUND:
Eligibility Worker Recognition Month represents an opportunity to recognize the complex work performed by and professionalism of Contra Costa County eligibility workers.

Eligibility Workers determine eligibility for human services programs, serving as a vital link between the public and essential services, interacting with people with compassion and professionalism.

CONSEQUENCE OF NEGATIVE ACTION:
Contra Costa County will miss an opportunity to recognize its Eligibility Work staff.

CHILDREN'S IMPACT STATEMENT:

This resolution supports all five of Contra Costa County's community outcomes of the Children's Report Card: (1) "Children Ready for and Succeeding in School"; (2) "Children and Youth Healthy and Preparing for Productive Adulthood"; (3) "Families that are Economically Self-Sufficient"; (4) "Families that are Safe, Stable and Nurturing"; and (5) "Communities that are Safe and Provide a High Quality of Life for Children and Families."

The Board of Supervisors of Contra Costa County, California

WHEREAS, the Contra Costa County Employment & Human Services Department (EHSD) promotes a vision of a thriving community where all individuals and families can be healthy, safe, secure, and self-sufficient; and

WHEREAS, Eligibility Workers promote this vision, playing a crucial role in ensuring access to food, shelter, healthcare, childcare, education and transportation, and other essential services for individuals and families in our community; and

WHEREAS, Workforce Services' eligibility workers, expertly administer CalFresh, CalWORKs, Childcare, Welfare-to-Work, and Medi-Cal programs. In Fiscal Year 2024-25, they processed 343,264 applications and renewals, and answered 759,047 phone calls; and

WHEREAS, Children & Family Services' eligibility workers ensure the timely and efficient handling of Medi-Cal, KinGAP, Foster Care, and Adoption Assistance. In Fiscal Year 2024-25 they processed 507 applications; and

WHEREAS, Aging & Adult Services' eligibility workers support older adults and individuals with disabilities by determining Medi-Cal and CalFresh eligibility for In-Home Supportive Services (IHSS) consumers and Supplemental Security Income (SSI) recipients, and applications and renewals for General Assistance. In Fiscal Year 2024-25 they processed 21,493 applications and renewals; and

WHEREAS, eligibility work requires dedication, compassion, and expertise to help guide and support vulnerable individuals through complex eligibility processes while fostering inclusivity and fairness; and

WHEREAS, Eligibility Workers uphold the Department's values of organizational excellence, exceptional customer service, open communication, innovation, ethical behavior, and diversity.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Contra Costa County does hereby proclaim February 2026 as Eligibility Work Month, recognizing and honoring the invaluable contributions of those who perform eligibility work to improve lives, foster dignity, and ensure access to resources for all community members.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: RES 2026-33 **Agenda Date:** 2/10/2026 **Agenda #:** C.4.

To: Board of Supervisors

From: Kristi Jourdan, Communication and Media Director

Report Title: ADOPT Resolution proclaiming February 20, 2026, as "Government Communicators Day" in Contra Costa County, as recommended by the Director of the Office of Communications & Media

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
ADOPT resolution proclaiming February 20, 2026, as "Government Communicators Day" in Contra Costa County, as recommended by the Director of the Office of Communications & Media.

FISCAL IMPACT:
No fiscal impact.

BACKGROUND:
Government Communicators Day is celebrated each year on the third Friday of February to recognize and celebrate the invaluable contributions of government communicators in Contra Costa County.

The County will join communities nationwide in the annual celebration that brings awareness to the importance of government communications professionals, whose work helps residents participate in local government and helps them stay informed.

CONSEQUENCE OF NEGATIVE ACTION:
Contra Costa County will not declare February 20 as Government Communicators Day.

The Board of Supervisors of Contra Costa County, California

IN THE MATTER OF recognizing Government Communicators Day

WHEREAS, government communications professionals serve as a critical bridge between public institutions and the residents they serve, ensuring that essential information is accurate, accessible, and responsive to community needs; and

WHEREAS, effective government communications strengthen public trust, support transparency, and encourage residents to engage in civic dialogue, participate in local decision-making, and take collective action to support their communities; and

WHEREAS, government communicators elevate community voices, build meaningful relationships, and use clear, compelling storytelling across diverse platforms to ensure all residents - regardless of language, background, or ability - have opportunities to be informed and included; and

WHEREAS, timely, trusted, and equitable communication is fundamental to a healthy democracy, empowering residents to navigate public services, understand policy decisions, and participate fully in civic life; and

WHEREAS, Contra Costa County values the expertise, dedication, creativity, and public service commitment of government communicators, whose work strengthens community resilience, enhances public understanding, and upholds the County's principles of transparency and accountability.

NOW, THEREFORE, BE IT RESOLVED: that Contra Costa County hereby proclaims February 20, 2026, as Government Communicators Day, honoring the essential contributions of these professionals in advancing open government, supporting informed communities, and strengthening the democratic process.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 26-517 **Agenda Date:** 2/10/2026 **Agenda #:** C.5.

To: Board of Supervisors

From: Kendra Carr & Peter Kim, Co-Directors Office of Racial Equity and Social Justice

Report Title: Declare a Vacancy on the Racial Justice Oversight Body

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
ACCEPT the resignation of Rick Godfrey, and DECLARE a vacancy in the Community-based Representative Seat: Lived Experience with Criminal or Juvenile Justice System, on the Racial Justice Oversight Body for term ending December 31, 2026, and DIRECT the Clerk of the Board to post the vacancy.

FISCAL IMPACT:
No fiscal impact.

BACKGROUND:
The Racial Justice Oversight Body (RJOB) is a multi-agency advisory body established by the Board of Supervisors on July 24, 2018 to oversee the implementation of the recommendations made by the Racial Justice Task Force to reduce racial disparities in the criminal and juvenile justice systems.

The Racial Justice Oversight Body is composed of the following 18 representatives:
1. A representative from the Superior Court, as a non-voting member;
2. The Sheriff or his designee;
3. The Chief Probation Officer or her designee;
4. The Public Defender or her designee;
5. The District Attorney or her designee;
6. A representative from a local law enforcement agency, nominated by the Contra Costa County Police Chiefs' Association;
7. A representative from the Contra Costa County Office of Education;
8. A representative from a Local School District (Rotation: Mt. Diablo/West Contra Costa/Antioch)
9. A representative from Contra Costa County Health Services Department;
10-11. Community-based Representative Seat 1 & 2: two members nominated by the Contra Costa Racial Justice Coalition;
12-13. Community-based Representative Seat 3 & 4: two individuals with prior personal criminal or juvenile justice system involvement;
14-16. Community-based Representative Seat 5, 6 & 7: three representatives from community-based organizations (CBO) that work with justice involved populations, including at least one person who works directly with youth;
17. Community-based Representative Seat 8: one representative from a faith-based organization; and
18. Community-based Representative Seat 9: one representative that is either a school-age young person, or

from a CBO who provides services to school-age youth.

On 1/29/26 Mr. Rick Godfrey submitted a letter of resignation from RJOB effective 1/30/26. Upon the Board's acceptance of this resignation, and declaration of the vacant seat, staff will bring the matter to the Equity Committee for its recruitment and recommendation to the Board of a replacement appointment.

CONSEQUENCE OF NEGATIVE ACTION:
If not approved, the vacancy will not be posted and the Community-based Representative Seat will remain vacant.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 26-518 **Agenda Date:** 2/10/2026 **Agenda #:** C.6.

To: Board of Supervisors

From: Marla Stuart, Employment and Human Services Director

Report Title: IHSS Public Authority Advisory Committee Resignation of District IV Seat

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

ACCEPT the resignation of Brock Dubbles, DECLARE a vacancy of the District IV seat on the In Home Supportive Services Public Authority Advisory Committee for term ending March 6, 2028, and DIRECT the Clerk of the Board to post the vacancy, as recommended by the Employment and Human Services Director.

FISCAL IMPACT:

No fiscal impact.

BACKGROUND:

On June 4, 2024, the Board of Supervisors appointed Brock Dubbles to the District IV seat on the In Home Supportive Services (IHSS) Public Authority Advisory committee with a term ending March 6, 2028. Mr. Dubbles has moved out of the county and is not able to serve the rest of his term.

CONSEQUENCE OF NEGATIVE ACTION:

The vacancy will not be declared, hindering the ability to recruit and fill the seat, and causing issues with achieving quorum for the Committee, which will potentially impact the Committee's ability to hold meetings.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 26-519 **Agenda Date:** 2/10/2026 **Agenda #:** C.7.

To: Board of Supervisors

From: Warren Lai, Public Works Director/Chief Engineer

Report Title: APPOINT Marisol Rubio to the San Ramon Area Seat and Richard Adler to the City of San Ramon Alternate seat on the Iron Horse Corridor Management Program Advisory Committee for terms ending with an expiration date of January 1, 2027, as recommended Supervisors Andersen and Carlson.

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPOINT the following individuals to the City of San Ramon seat on the Iron Horse Corridor Management Program Advisory Committee, as recommended Supervisors Andersen and Carlson (Districts II & IV).

Marisol Rubio
Richard Adler (alternate)

FISCAL IMPACT:
No fiscal impact.

BACKGROUND:
The Iron Horse Corridor Management Program Advisory Committee was authorized by the Board of Supervisors on July 22, 1997. It was established to assist Contra Costa County in developing a management program for the Iron Horse Corridor. In October of 2000 the Board expanded the Advisory Committee's role to continue implementation and monitoring of the Landscape Element of the Management Program and to assist in the completion of the Joint Use Criteria and Standards, Public Information, and Finance elements of the Management Program.

Advisory Committee seats include one representative from each jurisdiction or unincorporated community along the corridor, a District II seat, a District IV seat, a seat for the East Bay Regional Park District, and a seat for the Contra Costa Transportation Authority.

CONSEQUENCE OF NEGATIVE ACTION:
The seat will remain vacant.

C: Debbie Hince, City of San Ramon
Steve Kowalewski, Chief Deputy Director, Public Works
Carl Roner, Transportation Engineering

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1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 26-520 **Agenda Date:** 2/10/2026 **Agenda #:** C.8.

To: Board of Supervisors

From: Diane Burgis, District III Supervisor

Report Title: APPOINT Lacharonda Taylor to the District 3, Family Seat on the Behavioral Health Board to a term expiring December 31, 2028, as recommended by Supervisor Diane Burgis.

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPOINT Lacharonda Taylor to the District III, Family Seat on the Behavioral Health Board to a term expiring December 31, 2028, as recommended by Supervisor Diane Burgis.

FISCAL IMPACT:
None.

BACKGROUND:
The District Family Seat became vacant on December 9, 2025. The vacancy was posted, applications received and through interviews are making the appointment above.

CONSEQUENCE OF NEGATIVE ACTION:
The seat will remain vacant.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 26-521 **Agenda Date:** 2/10/2026 **Agenda #:** C.9.

To: Board of Supervisors

From: Diane Burgis, District III Supervisor

Report Title: REAPPOINT Gregory McLendon to the Appointment 1 seat on the County Service Area Discovery Bay P- 6 Citizen Advisory Committee to a term expiring December 31, 2027, as recommended by Supervisor Diane Burgis.

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
REAPPOINT Gregory McLendon to the Appointment 1 seat on the County Service Area Discovery Bay P- 6 Citizen Advisory Committee to a term expiring December 31, 2027, as recommended by Supervisor Diane Burgis.

FISCAL IMPACT:
None.

BACKGROUND:
The Appointee 1 seat expired on December 31, 2025, recommendation of the reappointment was made.

CONSEQUENCE OF NEGATIVE ACTION:
None.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 26-522 **Agenda Date:** 2/10/2026 **Agenda #:** C.10.

To: Board of Supervisors

From: Diane Burgis, District III Supervisor

Report Title: REAPPOINT Joseph Knipp to the Appointee 5 seat on the County Service Area Discovery Bay P- 6 Citizen Advisory Committee to a term expiring December 31, 2027, as recommended by Supervisor Diane Burgis.

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
REAPPOINT Joseph Knipp to the Appointee 5 seat on the County Service Area Discovery Bay P- 6 Citizen Advisory Committee to a term expiring December 31, 2027, as recommended by Supervisor Diane Burgis.

FISCAL IMPACT:
None.

BACKGROUND:
The Appointee 5 seat expired on December 31, 2025, recommendation of reappointment was made.

CONSEQUENCE OF NEGATIVE ACTION:
None.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 26-523 **Agenda Date:** 2/10/2026 **Agenda #:** C.11.

To: Board of Supervisors

From: John Kopchik, Director, Conservation and Development

Report Title: ACCEPT the resignation of Susan Hurl, DECLARE a vacancy in the At-Large Commercial Seat 2 on the Sustainability Commission, and DIRECT the Clerk of the Board to post the vacancy.

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
ACCEPT the resignation of Susan Hurl, and DECLARE a vacancy in the At-Large Commercial Seat 2 on the Sustainability Commission for a term ending March 31, 2027, and DIRECT the Clerk of the Board to post the vacancy.

FISCAL IMPACT:
None.

BACKGROUND:
The Department of Conservation and Development was notified of Susan Hurl's resignation from the Sustainability Commission effective immediately on January 27, 2026.

CONSEQUENCE OF NEGATIVE ACTION:
If unapproved, the Sustainability Commission would not have an accurate roster of members and vacancies would not be posted.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 26-524 **Agenda Date:** 2/10/2026 **Agenda #:** C.12.

To: Board of Supervisors

From: Monica Nino, County Administrator

Report Title: Reassign members and declare vacancies on the LPC

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
ACCEPT the resignations of Tim Fares, Khulood Jamil, and Amy Wells; REASSIGN Okeena Dickson to the Consumer 1 - West County seat with a term ending April 30, 2027 and Stephanie Shieh to the Discretionary Appointee 3 - Central/South seat with a term ending April 30, 2028 on the Local Planning and Advisory Council for Early Care and Education; and DECLARE vacancies in the Public Agency 1 - West County seat, Discretionary Appointee 4 - West County seat, and Public Agency 4 - East County seat for terms ending April 30, 2027 on the Local Planning and Advisory Council for Early Care and Education, and DIRECT the Clerk of the Board to post the vacancies, as recommended by the Contra Costa County Office of Education.

FISCAL IMPACT:
There is no fiscal impact for this action.

BACKGROUND:
The Local Planning and Advisory Council for Early Care and Education (LPC) coordinates programs and services affecting early childcare and education, including recommendations for the allocation of federal funds to local early childcare and education programs. The LPC consists of 20 members: 4 consumer representatives - a parent or person who receives or has received child care services in the past 36 months; 4 child care providers - a person who provides child care services or represents persons who provide child care services; 4 public agency representatives - a person who represents a city, county, city and county, or local education agency; 4 community representatives - a person who represents an agency or business that provides private funding for child care services or who advocates for child care services through participation in civic or community based organizations; and 4 discretionary appointees - a person appointed from any of the above four categories or outside of those categories at the discretion of the appointing agencies. Terms of appointment are 3 years.

CONSEQUENCE OF NEGATIVE ACTION:
Failure to declare the vacancy and to fill the seat will result in reduced public participation.

CONTRA COSTA LOCAL PLANNING AND ADVISORY COUNCIL FOR EARLY CARE AND EDUCATION

Seat Title	Term Expires	Name	Business/Affiliation Address	Home Address	Email	Work #	Home #	Fax #	Cell or Alternate #	Committee	Recommended Committee
Child Care Consumer 1 West County	4/30/2027	**Okeena Dickson**	CEMCO, Technical Drafter	Antioch, CA							
Child Care Consumer 2 Central/South County	4/30/2028	**Pamm Shaw**	The YMCA of the East Bay 2330 Broadway, Oakland, CA 94612	Walnut Creek, CA							
Child Care Consumer 3 Central/South County	4/30/2028	**Sara Guillermo**	IGNITE, Oakland CA	Martinez, CA							
Child Care Consumer 4 East County	4/30/2027	**Tim Fares**	Salesforce, San Francisco, CA	Brentwood, CA							
Child Care Provider 1 West County		**Vacant**									
Child Care Provider 2 Central/South County		**Vacant**									
Child Care Provider 3 Central/South County	4/30/2028	**Jacqueline Smith**	Unity Council 1187 Meadow Lane Concord, CA 94520	Brentwood, CA							
Child Care Provider 4 East County	4/30/2027	**Stacie Cooper-Roundtree**	Training Children Childcare and Learning Center 4716 Parkland Court Antioch, CA 94531	Antioch, CA							
Community 1 West County	4/30/2028	**Dr. Crystal McClendon-Gourdine** *(Chair)*	Baby Love Child Development Services 845 Meadow View Drive Richmond, CA 94806	Richmond, CA							
Community 2 Central/South County	4/30/2028	**Elianna Campos**	NCal Family Child Care Association Contra Costa County	Concord, CA							
Community 3 Central/South County	4/30/2027	**Hannah Michaelsen** *(Second Chair)*	CARE Parent Network 1340 Arnold Dr. #15 Martinez, CA 94553	Martinez, CA							
Community 4 East County	4/30/2028	**Candy Duperroir**	California Child Care Resource & Referral Network	Antioch, CA							
Discretionary 1 East County	4/30/2027	**Rachel Bymun**	Luv Muffins Preschool 98 Water St Bay Point, CA 94565	Bay Point, CA							
Discretionary 2 Central/South County	4/30/2027	**Amy Mockoski**	Contra Costa County Library Librarian III	Martinez, CA							
Discretionary 3 Central/South County	4/30/2028	**Stephanie Shieh**	First 5 Contra Costa 4005 Port Chicago Hwy Suite 120 Concord, CA 94520	Pleasant Hill, CA							
Discretionary 4 West County		**Vacant**									
Public Agency 1 West County		**Vacant**									
Public Agency 2 Central/South County	4/30/2027	**Corrie Littlejohn-Pope**	Mount Diablo Unified School District 1936 Carlotta Dr, Concord, CA 94519	Walnut Creek, CA							
Public Agency 3 Central/South County	4/30/2028	**Megan Miccio**	CocoKids 5095 Lone Tree Way, Antioch, CA 94531	Concord, CA							
Public Agency 4 East County		**Vacant**									
LPC Coordinator		**Monica Joseph**	Contra Costa County Office of Education 77 Santa Barbara Rd Pleasant Hill, CA 94523		mjoseph@cccoe.k12.ca.us	925-942-3437					
Administrative Assistant		**Alexia Lamarque Peraza**	Contra Costa County Office of Education 77 Santa Barbara Rd Pleasant Hill, CA 94523		alamarqueperaza@cccoe.k12.ca.us	925-942-5313					
CCCOE Deputy Superintendent of Schools		**Lynn Mackey**	Contra Costa County Office of Education 77 Santa Barbara Rd Pleasant Hill, CA 94523		lmackey@cccoe.k12.ca.us	925-942-3358					

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 26-525 **Agenda Date:** 2/10/2026 **Agenda #:** C.13.

To: Board of Supervisors

From: Kristin Connelly, Clerk-Recorder

Report Title: Contract Amendment with Konnech, Inc.

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

APPROVE and AUTHORIZE the Clerk-Recorder, or designee, to execute a contract amendment with Konnech, Inc. to increase the payment limit by $30,000 to a new payment limit of $137,408 and extend the term through February 20, 2027, to provide poll worker and location management software.

FISCAL IMPACT:

100% General Fund. The costs of this agreement are within the Department's operating budget.

BACKGROUND:

The Department contracted with Konnech, Inc. on January 12, 2018, to provide licensing, maintenance, and support of the PollChief application. This application is used to contact and schedule upwards of 1,200 poll worker volunteers every election cycle, as well as assist in contact and procurement of 146+ polling places for Election Day, 5 Regional Early Voting Sites, and numerous poll worker training rooms ahead of every election.

On September 16, 2025, the Board approved a contract amendment to increase the payment limit to $107,408 and extend the term through February 20, 2026. The Department conducted an RFP in June 2025 which provided no viable options and Konnech, Inc. continues to be contracted under sole-source justification. The Department is seeking Board approval to renew the contract with Konnech, Inc. for a one-year term effective February 21, 2026, through February 20, 2027, and increase the payment limit to $137,408.

Konnech's license, maintenance, and support agreement contains a limitation of liability**.**

CONSEQUENCE OF NEGATIVE ACTION:

The Department would need to identify and implement an alternative service provider in advance of the Direct Primary Election on June 2, 2026. The existing system already possesses the data from previous elections, and an alternative service provider would require a substantial financial investment and a significant amount of time and resources spent on data migration, staff training, and system testing.

File #: RES 2026-34 **Agenda Date:** 2/10/2026 **Agenda #:** C.14.

To: **Board of Supervisors**

From: John Kopchik, Director, Conservation and Development

Report Title: Authorizing Application for, and Receipt of, Homekey+ Grant Program Funds for the Choice in Aging Senior Housing Project

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
ADOPT a resolution authorizing the Department of Conservation and Development Director to apply for and execute a contract to accept State of California Homekey+ Funds in an amount not to exceed $30,000,000 for the Choice in Aging Senior Housing Project located at 490 Golf Club Road in the City of Pleasant Hill.

FISCAL IMPACT:
One hundred percent State funded, no County match. This authorization by the Board of Supervisors is for the Department of Conservation and Development (DCD) to apply for Homekey+ competitive allocation funds from the State of California for the Choice in Aging Senior Housing Project.

BACKGROUND:

Choice in Aging Senior Housing Project
On June 7, 2022, the Board of Supervisors (Board) awarded Satellite Affordable Housing Associates (SAHA) $1,000,000 in Fiscal Year 2022/2023 Permanent Local Housing Allocation (PLHA) funds for the Choice in Aging Senior Housing project located at 490 Golf Club Road in Pleasant Hill. The project is for the new construction of 82 units, including one manager's unit, of permanent supportive housing for seniors 62 years of age and over. The project will include set-aside units for homeless veterans and will provide onsite supportive services for tenants.

On June 25, 2024, the Board awarded SAHA $4,968,158 in Fiscal Year 2024/2025 Measure X Housing Funds and $2,963,384 in State of California Local Housing Trust Funds (LHTF), for an additional combined award of $7,931,542, for the Choice in Aging Senior Housing project. SAHA applied for tax credit financing for the project in August 2024 but was unsuccessful in obtaining an award.

The awards the Board approved on June 7, 2022, and on June 25, 2024, came with contingencies to keep the project moving to meet milestones or deadlines tied to the PLHA and LHTF funding programs. Those original contingencies were amended by the Board on April 1, 2025, to assist SAHA in their competitive application for the State of California's SuperNOFA funds by showing the County's funds as remaining committed to the project. The SuperNOFA application had an application deadline of April 15, 2025. The SuperNOFA application was intended to fill the remaining financing gap so the project could be eligible for an award of tax

credits in 2025. SAHA was unsuccessful in their application for the SuperNOFA but has continued to be diligent in seeking funding from various sources including various State funding sources. They were successful in obtaining funding awards from the California Department of Housing and Community Development Veterans Housing and Homelessness Program (VHHP) and the City of Pleasant Hill. They were also awarded 51 U.S. Department of Housing and Urban Development (HUD) project-based vouchers.

Homekey+ Program

On November 26, 2024, the California Department of Housing and Community Development (HCD or Department), in collaboration with the California Department of Veterans Affairs (CalVet), announced the availability of approximately $2.145 billion of Homekey+ grant funding through their Notice of Funding Availability (NOFA).

Homekey+ is the permanent housing component of the Behavioral Health Infrastructure Bond Act (BHIBA), part of Proposition 1 passed by California voters in March 2024. Homekey+ supports the development of Permanent Supportive Housing for Veterans and individuals with mental health or substance use disorder challenges who are at risk of or experiencing homelessness. Homekey+ also establishes allocations for Veterans and for Youth relative to that target population.

Homekey+ also introduces new flexibility to fund shovel-ready Projects with prior HCD or other awards in need of gap financing to commence construction. Homekey+ Projects receiving an award for new construction and gap financing Projects must complete construction within 24 months, starting 60 days from the date of the Award letter. Appropriate services are critical to serving eligible populations.

Homekey+ Application Process

The Homekey+ Program requires the applicant to be a local government entity. SAHA contacted City of Pleasant Hill and County staff to inquire about the possibility be the lead applicants and assist them to qualify for Homekey+ funding for their Choice in Aging Senior Housing project. The City of Pleasant Hill unfortunately was unable to participate as an applicant. Therefore, in order to be eligible to apply for the Homekey+ funds, the County, through the Department of Conservation and Development, is proposed to be the sole lead applicant with SAHA being the co-applicant. The County's application for Homekey+ funding would seek up to 30 million dollars to fill the current financing gap for the Choice in Aging project.

SAHA has exhausted all other funding sources available to their project, and this would be their final funding opportunity that could enable the project to move forward, apply for tax credits and/or tax-exempt bonds, and begin construction for their Choice in Aging Senior Housing Project in Pleasant Hill. If SAHA cannot close their finance gap for the Choice in Aging Senior Housing project in 2026 and execute loan documents for the County's PLHA, Measure X and LHTF awards, the County will likely need to recapture the PLHA, Measure X, and LHTF funds due to State funding requirements and allocate the funds to another housing project.

CONSEQUENCE OF NEGATIVE ACTION:
Negative action will further delay the Choice in Aging Senior Housing project in Pleasant Hill if SAHA cannot partner with a local jurisdiction and will not be able to apply for Homekey+ competitive grant funds.

THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA

and for Special Districts, Agencies and Authorities Governed by the Board

IN THE MATTER OF AUTHORIZING APPLICATION FOR, AND RECEIPT OF, LOCAL GOVERNMENT PLANNING SUPPORT GRANT PROGRAM FUNDS

WHEREAS, the Department of Housing and Community Development ("HCD") has issued a Notice of Funding Availability, dated November 26, 2024 ("NOFA"), for the Homekey+ Program ("Homekey+" or "Program"). HCD has issued the NOFA for Homekey+ grant funds pursuant to Health and Safety Code Section 50675.1.3 (Assem. Bill No. 140 (2021-2022 Reg. Sess.), § 20.); Health and Safety Code Section 50675.1.5 (Assem. Bill No. 531 (2023-2024 Reg. Sess.); Section 14184.402 of the Welfare and Institutions Code; Section 5891.5 of the Welfare and Institutions Code; and Round 5 and 6 of the Homeless Housing, Assistance and Prevention (HHAP) grant program. (Assem. Bill No. 129 (Chapter 40, Statutes 2023) and Assem. Bill No. 166 (Chapter 48, Statutes 2024), respectively.

WHEREAS, **the County Board of Supervisors of the County of Contra Costa** ("**Applicant**") desires to jointly apply for Homekey+ grant funds with **Satellite Affordable Housing Associates (Co-Applicant),** Therefore, Applicant is joining **Satellite Affordable Housing Associates** in the submittal of an application for Homekey+ funds ("**Application**") to HCD for review and consideration.

WHEREAS, HCD is authorized to administer Homekey+ pursuant to the Multifamily Housing Program (Chapter 6.7 (commencing with Section 50675) of Part 2 of Division 31 of the Health and Safety Code. Homekey+ funding allocations are subject to the terms and conditions of the NOFA, the Application, the HCD-approved STD 213, Standard Agreement ("**Standard Agreement**"), and all other legal requirements of the Homekey+ Program.

NOW, THEREFORE, BE IT RESOLVED

The Department of Conservation and Development Director of the **County of Contra Costa** is hereby authorized and directed to submit a joint Application to HCD in response to the NOFA, and to jointly apply for Homekey+ grant funds in a total amount not to exceed **$30,000,000**.

If the Application is approved, **the Department of Conservation and Development Director of the County of Contra Costa** is hereby authorized and directed to enter into, execute, and deliver a Standard Agreement in a total amount not to exceed **$30,000,000**, any and all other documents required or deemed necessary or appropriate to secure the Homekey+ funds from HCD and to participate in the Homekey+ Program, and all amendments thereto (collectively, the "**Homekey+ Documents**").

The County of Contra Costa acknowledges and agrees that it shall be subject to the terms and conditions specified in the Standard Agreement, and that the NOFA and Application will be incorporated in the Standard Agreement by reference and made a part thereof. Any and all activities, expenditures, information, and timelines represented in the Application are enforceable through the Standard Agreement. Funds are to be used for the allowable expenditures and activities identified in the Standard Agreement.

The Department of Conservation and Development Director of the County of Contra Costa is authorized to execute the Application and the Homekey+ Documents on behalf of **the County of Contra Costa** for participation in the Homekey+ Program.

PASSED AND ADOPTED this 10th day of February, 2026, by the following vote:

AYES: **[#_]** NAYS: **[#_]** ABSTAIN: **[#_]** ABSENT: **[#_]**

Monica Nino, County Administrator and Clerk of the Board of Supervisors

The undersigned, **(insert name and title of signatory)** of **County of Contra Costa** does hereby attest and certify that the foregoing is a true and full copy of a resolution of the governing body adopted at a duly convened meeting on the date above-mentioned, and that the resolution has not been altered, amended, or repealed.

SIGNATURE: _____ DATE: _____

NAME: _____ TITLE: _____

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 26-526 **Agenda Date:** 2/10/2026 **Agenda #:** C.15.

To: Board of Supervisors

From: John Kopchik, Director, Conservation and Development

Report Title: Appointment Nominations to the Contra Costa Transportation Authority's Accessibility Advisory Committee.

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
RATIFY the Department of Conservation and Development's decision to APPOINT Samantha Harris as the primary appointment, and Jamar Stamps as the alternate, to the Contra Costa Transportation Authority's Accessibility Advisory Committee, for a three-year term expiring February 23, 2029, as recommended by the Conservation and Development Director.

FISCAL IMPACT:
No fiscal impact.

BACKGROUND:
The Accessibility Advisory Committee (AAC) advises the Contra Costa Transportation Authority (CCTA) Board and staff on matters related to CCTA's projects and programs as they pertain to the County Accessible Transportation Strategic Plan (ATSP), and to satisfy the State of California requirement in Public Utilities Code (PUC) §99238, by serving as Contra Costa County's Social Service Transportation Advisory Council.

The AAC bylaws (attached) determines the structure of the AAC (shown below). The Department of Conservation and Development's nomination (highlighted) represents County staff. Contra Costa County departments also responsible for nominations to the AAC include the County Health Services Department, and Employment and Human Service Department, who nominate members on behalf of agencies serving elderly and disabled populations. The Board of Supervisors may also appoint a representative. Staff will request a recommendation from the Transportation, Water and Infrastructure Committee on that opportunity. Article 3 of the AAC bylaws states, *the BOS representative cannot represent a transit agency or serve on a transit agency board or be serving as a primary member of the Authority Board*.

Full AAC membership is comprised as follows:

- Two public transit riders who are Older Adults.
- Two public transit riders who are Persons with Disabilities.

- One representative of an agency serving Older Adults.
- One representative of an agency serving Persons with Disabilities.
- One representative of an agency serving Persons of Limited Means.
- One representative of an agency serving People with Developmental Disabilities.
- Two members representing Providers, in Contra Costa County that receive Measure J and/or Enhanced Mobility of Seniors & Individuals with Disabilities.
- One representative from each of the following transit providers: AC Transit, BART, County Connection, Tri Delta Transit, and WestCat.
- One staff representative of Contra Costa County.
- One optional additional Contra Costa County Board of Supervisor (BOS) representative.
- One non-elected representative chosen by the CCTA Board
- One non-voting representative of Metropolitan Transportation Commission

CONSEQUENCE OF NEGATIVE ACTION:
If the recommended action is not taken, the Department of Conservation and Development will not be represented on the Contra Costa Transportation Authority's Accessibility Advisory Committee.

Department of Conservation and Development

30 Muir Road
Martinez, CA 94553

Phone:1-855-323-2626

Contra Costa County

John Kopchik
Director

Jason Crapo
Deputy Director

Deidra Dingman
Deputy Director

Ruben Hernandez
Deputy Director

Gabriel Lemus
Assistant Deputy Director

February 4, 2026

Timothy Haile, P.E., Executive Director
Contra Costa Transportation Authority
2999 Oak Rd #100
Walnut Creek, CA 94597

RE: Accessibility Advisory Committee (AAC) Member Nominations

Dear Mr. Haile:

Thank you for the opportunity to participate in the Contra Costa Transportation Authority's Accessibility Advisory Committee (AAC). The Contra Costa County Department of Conservation and Development (DCD) nominates the following to be appointed to the AAC as the Department's representatives (the Board of Supervisors will finalize these nominations on February 10, 2026):

- Primary Appointment: Samantha Harris, DCD, Transportation Planning Section
- Alternate: Jamar Stamps, DCD, Transportation Planning Section

The County and CCTA work together to implement the Accessible Transportation Strategic Plan (ATSP), primarily through allocation of Measure X funds. We appreciate your work in administering the ATSP and look forward to continued collaboration. If you have any questions, please contact Samantha Harris at (925) 655-2881 or samantha.harris@dcd.cccounty.us.

Sincerely,

John Kopchik, Director
Contra Costa County
Department of Conservation and Development

cc: S. Harris, DCD
H. Bharoocha-Jobe, CCTA

CONTRA COSTA TRANSPORTATION AUTHORITY'S ACCESSIBILITY ADVISORY COMMITTEE (AAC) BYLAWS

ARTICLE 1. Purpose of the AAC

To advise the Contra Costa Transportation Authority (hereinafter "Authority") Board and staff on matters related to the Authority's projects and programs as they pertain to accessibility and accessible transportation.

To monitor and advise the Authority Board regarding the implementation of the Contra Costa Accessible Transportation Strategic Plan; and

To satisfy the State of California requirement in Public Utilities Code (PUC) §99238, by serving as Contra Costa County's Social Service Transportation Advisory Council.

ARTICLE 2. Definitions

Accessible Transportation:

Transportation services or programs designed to meet the unique needs of people with disabilities and/or older adults.

Accessible Transportation Strategic Plan (ATSP):

The ATSP, adopted by both the Authority Board and the Contra Costa County Board of Supervisors in March 2021, recommended strategies to both facilitate countywide transportation coordination efforts and address specific gaps in Contra Costa County's accessible transportation system through mobility strategies.

Americans with Disabilities Act (ADA)

The Americans with Disabilities Act (ADA) is a federal civil rights law enacted in 1990 that prohibits discrimination against individuals with disabilities in various areas of life, including employment, public services, and commercial facilities

pursuant to 42 U.S.C. § 12101 et seq by providing a clear and comprehensive mandate to eliminate discrimination.

ADA Paratransit:

ADA Paratransit refers to the transportation service mandated by the ADA for individuals with disabilities who are unable to use fixed-route public transit systems. This service ensures equal access to public transportation by providing origin-to-destination transit within a ¾-mile radius of existing fixed routes, operating during the same days and hours. Eligibility for ADA Paratransit is defined under 49 C.F.R. § 37.123 and includes individuals who, due to a physical or mental impairment:

- Are unable to board, ride, or disembark from accessible fixed-route transit without assistance (excluding the use of a wheelchair lift or similar device);
- Can use accessible fixed-route transit but the route is not accessible or the boarding/disembarking location is inaccessible; or
- Have a specific impairment-related condition that prevents them from traveling to or from a boarding location.

Coordinating Entity

The entity responsible for countywide ATSP strategy implementation to address long-standing barriers to progress. The Office of Accessibility and Equity is responsible for delivering this function for the Authority.

Human Service Transportation Provider (Provider):

A public or non-governmental entity that provides specialized transportation service to specific groups or demographics. Typical Human Service Transportation services include senior dial-a-ride services, van transportation to and from adult day programs, and volunteer driver programs.

Person of Limited Means

An individual qualified as “low-income,” “very low income,” or “extremely low income” pursuant to California Health and Safety Code §50093.

Office of Accessibility and Equity (OAE):

The OAE is a division within the Authority that is tasked with fulfilling the Authority's responsibilities under the ATSP.

Older Adults:

Persons who are 60 and above, as defined in PUC §99238.

Persons with Developmental Disabilities:

Individuals who have a disability that originates before an individual attains 18 years of age, continues, or can be expected to continue, indefinitely, and constitutes a substantial disability for that individual. As defined by the Director of Developmental Services, in consultation with the Superintendent of Public Instruction, this term shall include intellectual disability, cerebral palsy, epilepsy, and autism. This term shall also include disabling conditions found to be closely related to intellectual disability or to require treatment similar to that required for individuals with an intellectual disability, but shall not include other handicapping conditions that are solely physical in nature, as defined in California Welfare & Institutions Code §4512.

Persons with Disabilities:

Individuals who have physical or mental impairments that substantially limits one or more major life activities, a person who has a history or record of such an impairment, or a person who is perceived by others as having such an impairment, as defined in 28 CFR Part 35.

Public Transit Operator (Operator):

A public entity that operates fixed-route transit service. An Operator provides transportation services to the general public, establishes routes and frequency of service, regulates and collects fares, and otherwise controls the efficiency and quality of the system it operates.

Social Service Agency (Agency):

Any public, municipal, or non-governmental organization that provides specialized social or transportation services to Older Adults, Persons with Disabilities, or Persons of Limited Means, in accordance with PUC §99238. Social Services is interpreted broadly and may include rehabilitation services, counseling, occupational therapy, translation services, public health services, nutrition assistance, money management, supportive housing, advocacy, etc.

Transportation Equity:

Inclusion into a Contra Costa County where everyone can participate, prosper, and reach their full potential, as envisioned by the Metropolitan Transportation Commission (MTC).

ARTICLE 3. AAC Membership

3.1. AAC Membership shall consist of the following service categories and members:

Public Transit Riders (4 members)

Regular riders of public transit who have direct and current experience with using the Contra Costa County public transportation system and who understand the system and its services. Rider representatives must live or work in Contra Costa County and have current relevant experience using public transit in Contra Costa County, and will include:

- Two (2) public transit riders who are Older Adults, and
- Two (2) public transit riders who are Persons with Disabilities.

Social Service Agencies (4 members)

Agency representatives will include:

- One (1) representative of an agency serving Older Adults,
- One (1) representative of an agency serving Persons with Disabilities,
- One (1) representative of an agency serving Persons of Limited Means, and
- One (1) representative of an agency serving People with Developmental Disabilities.

Human Service Transportation Providers (2 members)

Two (2) members representing Providers, in Contra Costa County that receive Measure J and/or *Enhanced Mobility of Seniors* & *Individuals with Disabilities* (49 U.S.C. 5310) funding to provide accessible transportation services, including: City of Antioch, City of El Cerrito, City of Richmond, City of San Pablo, Mobility Matters, Rossmoor, and any other qualifying Providers.

Public Transit Operators (5 members)

One representative each of the following Operators:

- AC Transit,
- BART,
- County Connection,
- Tri Delta Transit, and
- WestCat.

Contra Costa County Representative (1 member and 1 optional additional ex officio member)

One (1) staff representative of Contra Costa County and one (1) optional additional Contra Costa County Board of Supervisor (BOS) representative both at the discretion of the BOS. The representative cannot represent a transit agency or serve on a transit agency board or be serving as a primary member of the Authority Board.

Authority Board Representative (1 ex officio advisory member)

One (1) non-elected representative chosen by the Authority Board. The representative cannot represent a transit agency or serve on a transit agency board.

Metropolitan Transportation Commission (MTC) (1 ex officio member)

One (1) non-voting representative of MTC.

It is the intention of the Authority to have members that represent more than one service category and represent a diversity of user perspectives.

3.2. AAC Member Appointments

Public Transit Rider Appointments

Public Transit Rider representatives will be appointed by the Authority Board, in accordance with PUC § 99238(b)). The Authority and Nominating and Recruitment Subcommittee will recruit candidates representing Older Adults, Persons with Disabilities, People with Developmental Disabilities, or Persons of Limited Means, and shall strive to attain geographic and minority representation among the AAC Public Transit Rider representatives.

All Public Transit Rider applicants shall be approved by a majority vote of the AAC and confirmed by the Authority Board.

Social Service Agency and Human Service Transportation Provider Appointments

Agencies and Providers will be selected to serve on the AAC by the Authority Board and recruited by the Nominating and Recruitment Subcommittee, in accordance with PUC § 99238(b)). Selections shall run concurrently with member terms as described in 3.3, below.

Once selected, the Agencies and Providers will be responsible for appointing their own AAC representatives and alternates.

Public Transit Operator, Contra Costa County, Authority Board and MTC Appointments

The Public Transit Operators (AC Transit, BART, County Connection, Tri Delta Transit, and WestCat), Contra Costa County, and MTC will be responsible for appointing their own AAC representatives and alternates.

3.3. Term of office

In accordance with PUC § 99238(b)), appointments will be for three years. Of the initial appointments, one-third of them shall be for a one-year term, one-third shall be for a two-year term, and one-third shall be for a three-year term. After the initial term, appointments may be renewed for additional three-year terms. Agency and Provider selection renewals, and Public Transit Rider term renewals

shall be subject to a majority vote of the AAC and approval by the Authority Board.

3.4. Alternates

Each appointing agency, organization, and/or individual shall name its representative and shall also designate one alternate to represent them. The alternate member does not have to be staff of the same agency they are representing, as long as they maintain the membership requirements in Article 3. Alternate members may serve on subcommittees. Each member shall have a single vote in all matters before the AAC. Alternates shall vote in the place of their primary member only if the member is not in attendance at the same meeting.

3.5. Absences

Four (4) unexcused absences within a 12-month period are considered resignation from the AAC. If a member is unable to attend, it is that member's responsibility to inform Authority staff and contact their alternate to attend on their behalf. An excused absence is defined as one where the AAC member notifies the authority staff in advance of the meeting that they cannot attend, or that the member is unable to attend for reasons beyond their control. All other absences will be deemed unexcused. If an Agency or a Provider representative has four unexcused absences within 12 months, the Authority Board may select another Agency or Provider to fill the seat. If an Operator representative, or the Contra Costa County or MTC representative has four consecutive unexcused absences, its organization shall designate another representative to serve on the AAC.

3.6. Subcommittees

There will be three standing AAC subcommittees: a Nominating and Recruitment Subcommittee, a Claims Review Subcommittee, and an ATSP Work Plan Review Subcommittee. Standing subcommittee members will be recommended and appointed at the start of every calendar year by the AAC chair and confirmed by a majority vote of the AAC. The Claims Review Subcommittee members will serve for a one-year term. The Nominating and Recruitment Subcommittee and the ATSP Work Plan Review Subcommittee will serve for a two-year term. Additional

ad-hoc subcommittees may be created, and members appointed, at the discretion of the AAC Chair to address issues related to the AAC's mission and to carry out short-term defined special projects. No subcommittee shall have fewer than three members. Alternates may serve on standing and ad-hoc subcommittees.

3.7 Removal of Officers and Members

- Any officer or member of the AAC can be removed from office for good cause, such as:
- Violating the Federal Drug-Free Workplace Act of 1988 and the California Drug-Free Workplace Act of 1990
- Being under the influence of alcohol in such a manner as to substantially impair or impede the performance of the officer or member's ability to perform AAC duties
- Harassing, bullying, or intimidating other members of the AAC, Authority staff, or members of the public.
- Failure to attend regular meetings as specified in Section 3.5.

Removal from office shall be by a minimum two-thirds (2/3) vote of the AAC, subject to approval by the Authority Board. An officer or member of the AAC who presents a direct threat to health or safety may be immediately suspended from the AAC by the Executive Director of the Authority or their designee, pending removal.

ARTICLE 4. Duties of the AAC

4.1. Requirements of Public Utilities Code (Div 10, § 99238(c))

In accordance with PUC § 99238(c)), the AAC will:

a. Annually participate in the identification of transit needs in Contra Costa County, including unmet transit needs that are within the jurisdiction of the Authority and that may be reasonable to meet by expanding existing services or by supporting existing Operators and Providers to establish or contract for new public specialized transportation services.

b. Annually review and recommend action by the Authority for matters within the Authority's jurisdiction, by resolution, that (A) there are no unmet transit needs, (B) there are no unmet transit needs that are reasonable to meet, or (C) there are unmet transit needs, including needs that are reasonable to meet.
c. Advise the Authority on any other major transit issues, including the coordination and consolidation of specialized transportation services that are within its jurisdiction.

4.2 General

Advise the Authority on issues within the Authority's jurisdiction that are related to accessible transportation services in Contra Costa County.

4.3 ATSP

Advise the Authority on initiatives related to the ATSP that are within the Authority's jurisdiction, including:

- Oversight of regular, five-year updates to the ATSP.
- Partner with Authority staff to develop a biennial ATSP Workplan. Review and provide recommendations to the Authority Board regarding consideration and adoption of the ATSP Workplan.
- Monitor progress of the implementation of the ATSP, including conducting annual assessments on ATSP implementation, achievement toward the OAE vision, and making recommendations to the Authority Board regarding updates or amendments to the ATSP when needed.

4.4 Coordination

Advise the Authority on ways to improve and increase cooperation, coordination and effectiveness of specialized transportation services for older adults and persons with disabilities that are within the Authority's jurisdiction, including by minimizing overlap and duplication in the use of resources at the policy, management, and service delivery levels.

4.5 Claim Review

Review annual claims for Measure J funds, applications for 49 USC § 5310 funds, and/or other applicable funds and make recommendations to the Authority Board regarding these claims and applications as appropriate.

4.6 Forum

Provide a forum for accessible transportation stakeholders, including Agencies, Providers, AAC members, Older Adults, Persons with Disabilities, People with Developmental Disabilities, or Persons of Limited Means and the public to discuss common goals related to accessible transportation services that are within the Authority's jurisdiction.

4.7 Recommendations

Provide information and recommendations to the Authority on issues within its jurisdiction affecting transportation for Older Adults, Persons with Disabilities, People with Developmental Disabilities, or Persons of Limited Means, including updates to the Countywide Transportation Plan, Measure J Strategic Plan, and any new or updated Transportation Expenditure Plan.

4.8 Information Exchange

Exchange information with, and make recommendations regarding transportation to, Agencies that provide services to Older Adults, Persons with Disabilities, People with Developmental Disabilities, or Persons of Limited Means.

4.9 Stakeholder Facilitation

Facilitate cooperation between accessible transportation consumers and providers, serve as a forum for stakeholders to discuss service gaps and other issues of mutual interest, facilitate cooperation in the resolution of concerns related to accessible transportation, and provide input on all stages of the Authority's programs as they relate to accessibility and accessible transportation. Stakeholders will include Agencies, Operators, Older Adults, Persons with Disabilities, People with Developmental Disabilities, or Persons of Limited Means, or their advocates representing all county sub-regions.

4.10 OAE

Provide input to the Authority regarding the OAE and its vision for Older Adults, Persons with Disabilities, People with Developmental Disabilities, or Persons of Limited Means in Contra Costa County to experience seamless, accessible and dignified transportation that fosters independence and inclusivity in their daily lives, and the OAE's mission to create a collaborative ecosystem that brings together accessible transportation consumers with Operators, Providers, Agencies, and other stakeholders to foster strong partnerships, encourage the streamlining and optimization of accessible transportation services, and help incorporate accessibility into routine transportation planning in Contra Costa County.

4.11 Other

Perform other duties to support accessible transportation that may be assigned by the Authority.

ARTICLE 5. Officers

5.1 At the first AAC meeting following ratification of these bylaws by the Authority Board, the AAC shall elect a Chair and Vice Chair for one-year terms. Provided that candidates from different service categories are available, the Chair and Vice Chair shall not represent the same categories.

5.2 Election of officers shall occur at the first regular meeting of each calendar year with the new officers to be seated at the next regularly scheduled meeting. Nomination of officers shall be limited to those members who have attended more than half of the AAC meetings in the previous one year. Officers may serve additional terms without term limits.

5.3 The Chair shall preside over all meetings, appoint members to subcommittees in coordination with the AAC members, call special meetings, cancel meetings as appropriate in coordination with the Authority, and assist Authority staff in the preparation of the agendas for all AAC meetings.

5.4 The Vice Chair shall assume the duties of the Chair in the event of absence of the Chair.

5.5 Vacancies of Officers: Vacancies shall be filled by special election at the next regular meeting following notification of the vacant position, by a majority vote of the members in attendance, after a nomination has been made and seconded.

ARTICLE 6. Meetings

6.1 The AAC and its subcommittees will conduct meetings in accordance with the Brown Act.

6.2 The AAC shall meet monthly, cancelled at the discretion of the Chair in coordination with the Authority, with additional meetings as needed being called by the Chair or staff as required.

6.3 The Authority shall give written notice of each regular meeting at least 72 hours in advance, in accordance with the Brown Act. In the event of a special meeting, members and the public shall be notified at least 24 hours in advance of said meeting.

6.4 Meetings shall be held at the office of the Authority. With prior notification, special meetings or subcommittee meetings may be held at other locations. All meeting locations shall be ADA compliant.

6.5 A quorum is reached when the number of AAC members at any meeting totals one more than half of the filled (non-vacant) seats on the AAC.

6.6 The Authority will administer the AAC and will ensure equitable access to meetings by mitigating access barriers for members and the public whenever possible and at least to the extent required by law.

ARTICLE 7. Public Statements

Only the Authority Board is authorized to speak publicly on behalf of the Authority and the AAC.

ARTICLE 8. Conflict of Interest

Members of the AAC are required to comply with all applicable regulations and requirements of the Fair Political Practices Commission, including the filing of a Form 700, Statement of Economic Interest.

ARTICLE 9. Amendments

Recommendations to amend the AAC Bylaws require a 2/3 vote at any meeting of the AAC, provided that a copy of any amendment proposed for consideration is transmitted to each member at least ten (10) days prior to the meeting date.

Recommendations to amend the AAC Bylaws that modify the Authority's Administrative Code, must be submitted for approval to the Authority Board.

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1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 26-527 **Agenda Date:** 2/10/2026 **Agenda #:** C.16.

To: Board of Supervisors

From: Legislation Committee

Report Title: 2026 Conforming Updates to the State Legislative Platform

☐Recommendation of the County Administrator ☒ Recommendation of Board Committee

RECOMMENDATIONS:
ADOPT conforming changes proposed to the 2025-26 State Legislative Platform, as recommended by the Legislation Committee. (No fiscal impact)

FISCAL IMPACT:
No fiscal impact.

BACKGROUND:
Pursuant to the Board's direction and Administrative Bulletin 110, the Board's adopted legislative platforms guide the County's advocacy activities at the state and federal levels. In-depth revisions to the legislative platforms are typically performed during the fall of even-numbered years, whereas conforming updates are made in interim periods. These changes are proposed to reflect recent direction from the Board and its subcommittees.

Accordingly, three changes are proposed to the Board's adopted state legislative platform. Two changes are to incorporate sponsored bill ideas being pursued by the County: one related to a local general sales tax, and another related to improving enrollment and recertification processing times for In Home Supportive Services (IHSS) Community First Choice Option (CFCO). The Board provided direction on January 20, 2026 to pursue legislation related to the cap on sales tax. On the topic of addressing the new IHSS CFCO penalty cost shifts, this topic has been discussed with Legislation Committee at the August 8 and December 10 meetings of Legislation Committee, as well as in informational presentations to the Board on state budget impacts.

To reflect these changes, a new section titled Sponsored Legislation has been added to page 7 of the 2025-26 State Platform. The proposed language is included in the bullets below.

- **Reduce the harms of H.R. 1 and the 2025 State Budget Agreement:** *H.R. 1 and the 2025 State Budget Agreement reduce funding for health care and nutrition for low-income, vulnerable communities in Contra Costa. These policies shift significant underfunded costs to California counties, straining County general fund resources, which are needed to deliver a wide variety of core county services. At the January 20, 2026 meeting, the Board directed sponsored legislation to address the sales tax cap and to allow the voters of Contra Costa County to determine whether a new, short-term general sales tax should be imposed.*

- **Exploring Strategies to Improve Enrollment Times for In Home Support Services (IHSS):** *In Home Supportive Services (IHSS) is a program that provides support to Medicaid enrollees who require additional care in order to remain out of an institutional environment and remain in the community. This county-sponsored effort will focus on the Community First Choice Option (CFCO) population and will seek to improve certification times while mitigating new penalties that will amount to nearly $5 million annually in Contra Costa. The County is seeking state partnership and support to implement new staffing, technology, and other improvements to help complete eligibility and enrollment determinations more quickly. Potential goals of this effort could include shortening certification and recertification times, eligibility worker retention and job satisfaction.*

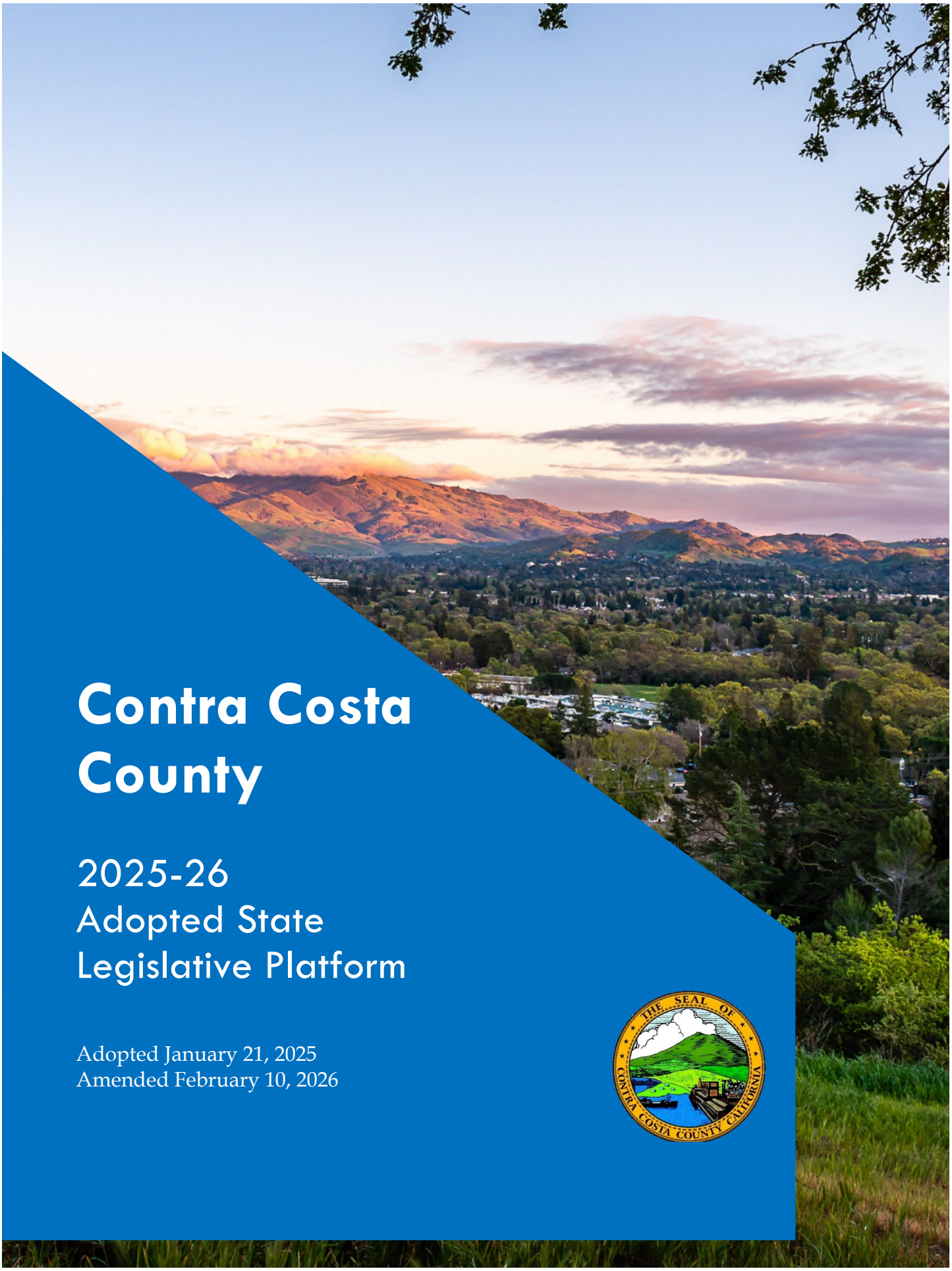
The third update proposed follows direction provided by the Legislation Committee at its December 10, 2025 meeting, which modifies and refines an existing policy statement.

Specifically, under the Health Care section, language is proposed to amend policy statement **#104: "SUPPORT state action to increase health care access and affordability".** Amendments will add the following new sentences to the existing policy statement:

"Ensure that policies put forth by the state Office of Health Care Affordability do not impede access to care or compound the challenges from federal funding cuts because of H.R. 1 (2025) and other actions. OPPOSE decisions by the Office, such as the imposition of statewide health care spending caps, which could reduce needed investment in our local health care system and reduce access to health care services for Contra Costa residents."

This language is recommended by Health Services, and was proposed by the California Hospital Association. The language is recommended because although the intent would be captured under the existing policy statement, the new language provides focus on specific agencies that are expected to serve as the venue for discussions related to these concerns. The language highlights the connection between potential actions and likely outcomes.

CONSEQUENCE OF NEGATIVE ACTION:
Without these conforming changes, the State Legislative Platform will not fully reflect the direction of the Board and Legislation Committee during the upcoming session.



Contra Costa County

2025-26 Adopted State Legislative Platform

Adopted January 21, 2025
Amended February 10, 2026

CONTENTS

Introduction 3

County Profile 3

Demographic Highlights 3

Governance 4

Legislative Platform Purpose 5

Mission, Vision, and Values 6

Advocacy priorities 7

2026 Sponsored legislation 7

Principles and Policy Statements 9

Administration and Finance 9

Agriculture and Weights & Measures 10

Animal Services 10

Artificial Intelligence 11

Child Support Services 11

Climate Change 11

The Delta 13

Economic Development 14

Elections 14

Emergency Preparedness and Emergency Response 14

Flood Control and Clean Water 16

Health Care 17

Homeless Services 19

Human Services 20

Child Welfare Services 20

Early Childhood Development 21

Immigration, Equity, and Inclusion 21

Older Adult Services 22

Safety Net Programs 22

Violence Prevention 23

Justice Systems 23
Land Use/Community Development/Natural Resources 25
Library Services 26
Public Information and Transparency 26
Telecommunications and Broadband 26
Transportation 27
Veterans 29
Waste Management 29
Workforce Development 31

INTRODUCTION

COUNTY PROFILE

One of the original 27 counties established in California in 1850, Contra Costa County is home to more than one million people, making it the ninth most populous county in the state. Physically, Contra Costa is over 733 square miles and extends from the northeastern shore of the San Francisco Bay (Bay) easterly about 50 miles to San Joaquin County. The County is bordered on the south and west by Alameda County and on the north by the Suisun and San Pablo Bays. The western and northern shorelines are industrialized, while the interior sections are suburban/residential, commercial and light industrial.

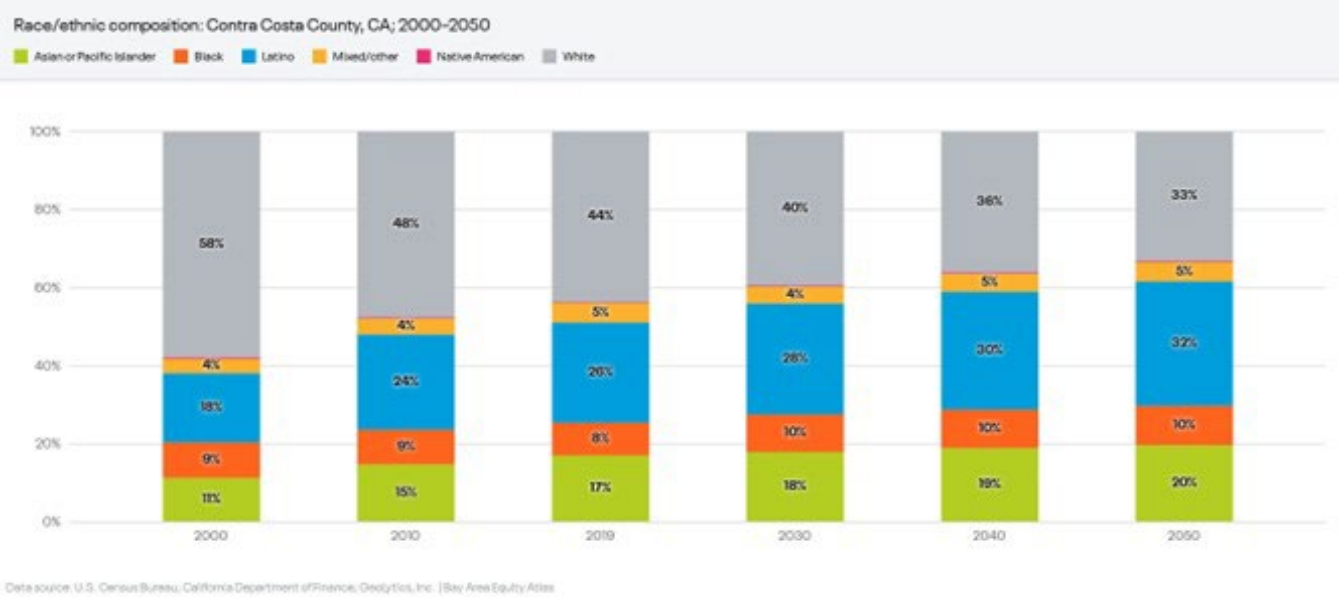
About 40 percent of the county is under the jurisdiction of 19 incorporated cities and towns, and large portions of the remaining unincorporated area are part of public park systems and a habitat conservancy. Contra Costa County is diverse, with communities that range from small agricultural places like Byron, with a density of about 200 people per square mile, to urban population centers like Contra Costa Centre, a bustling transit village with a density of 8,400 people per square mile.

With its strategic location as **The Capital of The Northern California Mega-Region**™ and easy access to suppliers and customers, Contra Costa is a business destination full of opportunity.

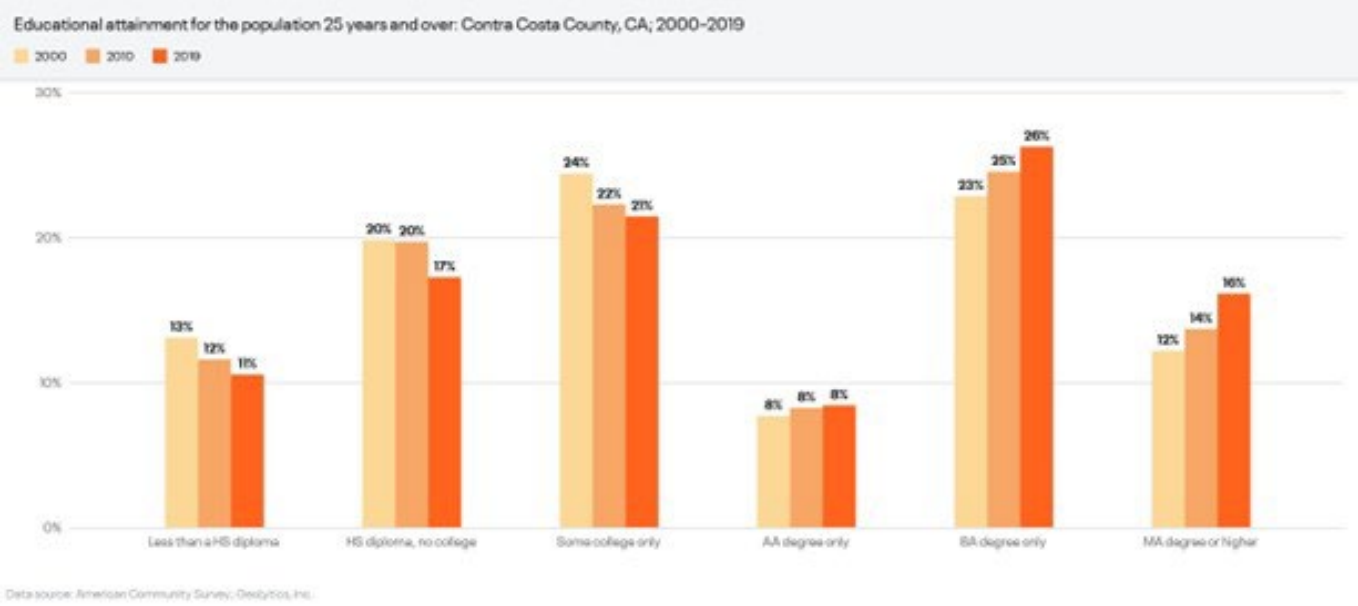
DEMOGRAPHIC HIGHLIGHTS

According to the 2024 State Department of Finance data, 1,146,626 people live in Contra Costa County. 15% of the total population, about 176,941 people, reside in the unincorporated areas of the county. The median age of County residents is 39 years old. Our population of people aged 60 or older is expected to grow by approximately 47% between 2020 and 2050, making this age group our fastest growing.

44% of County residents are white, with significant proportions of Asian (16.5%) and African American (8%) people. The Census tracks Latinx ethnicity separately from other populations; in total, the Hispanic/Latino population makes up approximately 26% of the total population.



Data source: U.S. Census Bureau, California Department of Finance, Geolytics, Inc. | Bay Area Equity Atlas



Data source: American Community Survey, Geolytics, Inc.

GOVERNANCE

A five-member Board of Supervisors, each elected to four-year terms, serves as the legislative body of the County, which has a general law form of government. Also elected are the County Assessor, Auditor-Controller, Clerk-Recorder, District Attorney, Sheriff-Coroner and Treasurer-Tax Collector. The County Administrator, Monica Nino, is appointed by the Board and is responsible for running the day-to-day business of the County.

Contra Costa County Board of Supervisors:

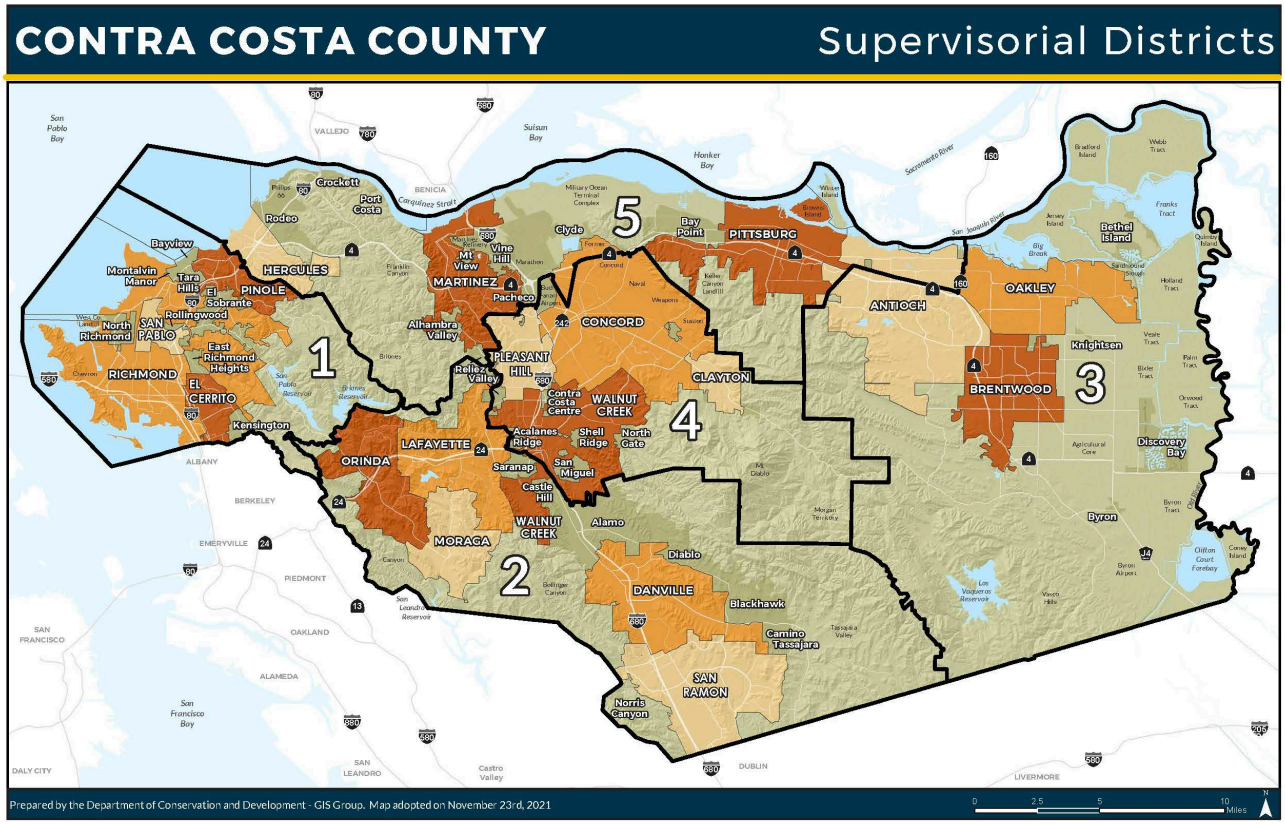
District 1: John M. Gioia

District II: Candace Andersen

District III: Diane Burgis

District IV: Ken Carlson

District V: Shanelle Scales-Preston



LEGISLATIVE PLATFORM PURPOSE

The Legislative Platform establishes the priorities, principles, and policy statements of the Contra Costa County Board of Supervisors and creates the basis for its advocacy efforts, alerting our legislative partners of the greatest needs of our residents and where we need additional help. The Platform provides general direction to County departments and agencies, legislative advocates, delegation members, and the public on our positions on key policy matters that would impact the way the County does business. The Platform also includes new bill requests for which legislation is sought from Contra Costa County.

Throughout the legislative session, the County will review and take positions on various policy and State Budget items. When a recommended position is consistent with existing County policy, as adopted in the Platform, the CAO's office or department staff will prepare a County position letter for signature by the Board Chair.

Contra Costa County has also adopted a ***Delta Water Platform*** to identify and promote activities and policy positions that support a healthy Sacramento-San Joaquin Delta (Delta). Contra Costa County uses this Delta Water Platform to guide its actions and advocacy regarding the future of the Delta.

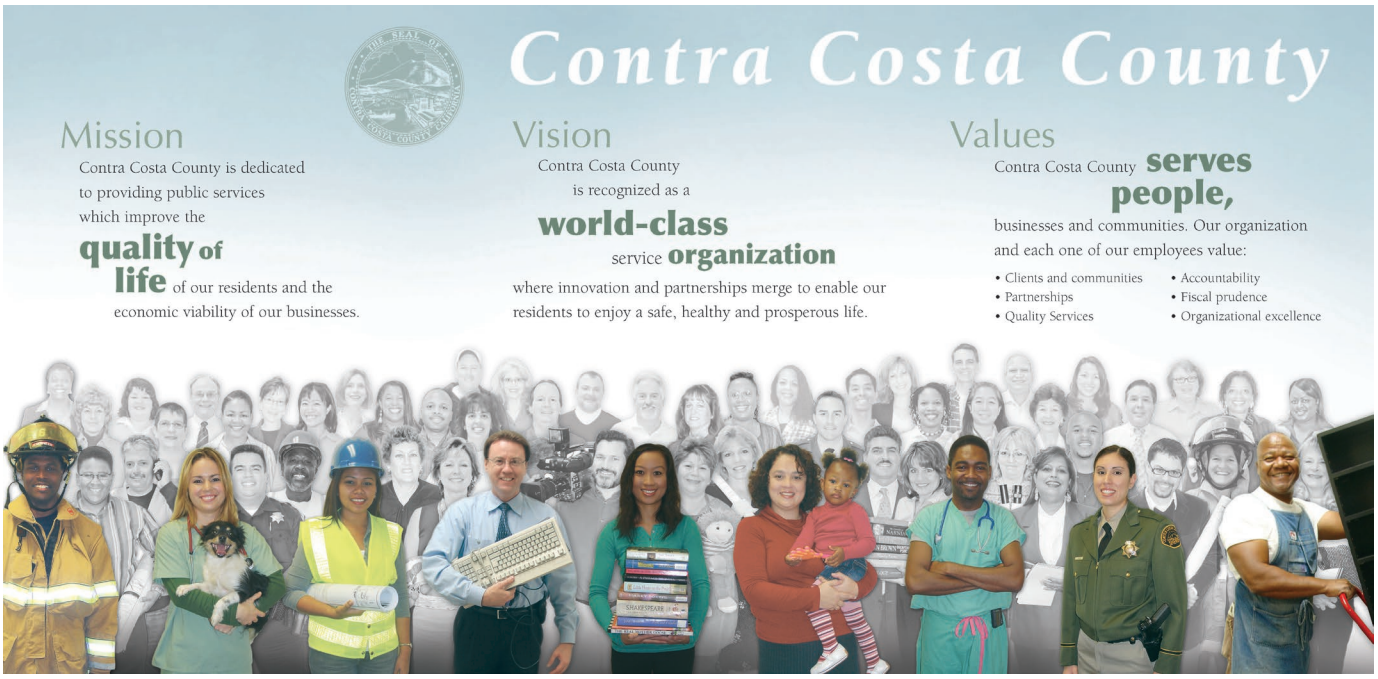
MISSION, VISION, AND VALUES

Contra Costa County has adopted the following Mission, Vision and Values statement:

Mission: Contra Costa County is dedicated to providing public services which improve the **quality of life** of our residents and the economic viability of our businesses.

Vision: Contra Costa County is recognized as a world-class service organization where innovation and partnerships merge to enable our residents to enjoy a safe, healthy and prosperous life.

Values: Contra Costa County services people, businesses and communities. Our organization and each one of our employees value: Clients and communities; Partnerships; Quality services; Accountability; Fiscal prudence; Organizational excellence.



ADVOCACY PRIORITIES

- ✓ **Climate Change:** Advocate for and support funding to address climate change, and for Contra Costa County specific projects in the climate bond and through other funding sources. Funding is needed to facilitate the conversion of existing buildings for greater energy efficiency and to all-electric, promote a countywide approach to adaption to rising water levels, conserve and restore natural resources and open space, support the development and implementation of a countywide urban forest management plan, facilitate community solar projects and associated battery storage to provide electricity to impacted communities, and build-out the active transportation network across the County.

- ✓ **Heath Care, including Mental Health, Behavioral Health and Substance Use Disorder (SUD) services:** CalAIM Implementation engagement with focus on finance implications as well as impacts on county operations, programs and people served. Advocate for Behavioral Health workforce assistance and adequate, sustained funding to match new services and administration expectations. Advocate for secure, adequate, flexible, and sustained funding for CARE Court implementation, mindful of the state budget, including supportive housing.

- ✓ **Housing and Homelessness:** Although state and local governments have made significant investments in housing and homelessness programs over the last few years, California lacks a comprehensive, holistic strategy that provides sustained funding and clear levels of responsibility for all levels of government. Continue to support significant strategic investments and support funding for housing and treatment facilities for the behavioral health populations.

- ✓ **The Delta/Water and Levees:** Support efforts to protect and improve water quality, water quantity, and Delta outflow and advocate for increased freshwater flow through the Delta into the San Francisco Bay to protect and restore a healthy and sustainable ecosystem. Advocate for significant funding for western and central Delta levees to support water quality and the existing Delta water conveyance system and to protect critical infrastructure. Support multi-purpose storage options that incorporate water supply, flood control, surface water and groundwater storage, groundwater management, and ecosystem components.

2026 SPONSORED LEGISLATION

- **Reduce the local harms of H.R. 1 and the 2025 State Budget Agreement:** H.R. 1 and the 2025 State Budget Agreement reduce funding for health care and nutrition for low-income, vulnerable communities in Contra Costa. These policies shift significant underfunded costs to California counties, straining County general fund resources, which are needed to deliver a wide variety of

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- **Exploring Strategies to Improve Enrollment Times for In Home Support Services (IHSS):** In Home Supportive Services (IHSS) is a program that provides support to Medicaid enrollees who require additional care in order to remain out of an institutional environment and remain in the community. This county-sponsored effort will focus on the Community First Choice Option (CFCO) population and will seek to improve certification times while mitigating new penalties that will amount to nearly $5 million annually in Contra Costa. The County is seeking state partnership and support to implement new staffing, technology, and other improvements to help complete eligibility and enrollment determinations more quickly. Potential goals of this effort could include shortening certification and recertification times, eligibility worker retention and job satisfaction.

PRINCIPLES AND POLICY STATEMENTS

ADMINISTRATION AND FINANCE

1. MAXIMIZE state, federal, and local revenues for County-run programs and services.
2. SECURE greater flexibility over use of state and federal funds.

3. LESSEN any adverse impact of state or federal policies on County costs and decision-making authority.
4. ACHIEVE operational improvements.
5. SUPPORT proposals that provide local governments with greater decision-making authority over the use of state or federal funds.
6. OPPOSE proposals that would impose new unfunded mandates on the County. OPPOSE efforts of the state to avoid state mandate claims through the practice of repealing the statues then re-enacting them. SUPPORT timely, full payments to counties by the state for programs operated on their behalf or by mandate.
7. OPPOSE any efforts to increase the County's share-of-cost, maintenance-of-effort requirements or other financing responsibility for state-mandated programs, absent new revenues sufficient to meet current and future program needs.
8. SUPPORT the state's effort to balance its budget through actions that do not adversely affect County revenues, services, or ability to carry out its governmental responsibilities.
9. OPPOSE any state-imposed redistribution, reduction or use restriction on general purpose revenue, sales taxes or property taxes unless financially beneficial to the County.
10. OPPOSE efforts to limit local authority over transient occupancy taxes (TOT).
11. SUPPORT efforts to ensure that Contra Costa County receives its fair share of state allocations.
12. SUPPORT efforts to receive reimbursement for local tax revenues lost pursuant to sales and property tax exemptions approved by the Legislature and the State Board of Equalization.
13. SUPPORT efforts to reform the state/local relationship in a way that makes both fiscal and programmatic sense for local government with an emphasis on maximum flexibility for counties to manage the existing and realigned discretionary programs.
14. SUPPORT a reduction in the 2/3rd vote requirement to 55% voter approval for locally-approved special taxes that fund health, housing, education, economic, stormwater services, library, transportation and/or public safety programs and services.
15. SUPPORT efforts to authorize counties to impose forfeitures for violations of ordinances, as authorized for cities.
16. SUPPORT efforts to redefine the circumstances under which commercial and industrial property is reassessed to reduce the growing imbalance between the share of overall property tax paid by residential property owners versus commercial/industrial owners.
17. SUPPORT efforts to reduce County costs for Workers' Compensation, including the ability to control excessive medical utilization and litigation.
18. SUPPORT legislative compliance with both the intent and language of Proposition 1A (2004).

19. SUPPORT full state participation in funding the County's retiree and retiree health care unfunded liability.
20. OPPOSE the establishment of specific or stricter standards for the use of personal services contracts by counties that would make contracting with community-based organizations more difficult.
21. ENABLE local governments to offer additional opportunities for public meeting attendance, participation, and accessibility for non-legislative advisory bodies through technological means.
22. SUPPORT efforts that ensure public entities are procuring products and delivering services in a manner that progressively reduces the carbon footprint of goods and services.
23. SUPPORT efforts that maintain public record access while maintaining privacy, as it relates to Assessor Parcel Numbers (APNs).

AGRICULTURE AND WEIGHTS & MEASURES

24. SUPPORT revisions to state law to enable the department to recover its costs of service provision for pest and disease control and eradication efforts and weights and measures programs.
25. SUPPORT revisions to State school siting policies to protect and enhance the viability of local agriculture.
26. SUPPORT legislation to facilitate the efforts by the California Department of Food and Agriculture and the Department of Boating and Waterways to survey and treat all infestations in the Delta of invasive aquatic species through integrated pest management.
27. SUPPORT legislation that preserves the integrity of the Williamson Act, eliminates abuses resulting in unjustified and premature conversions of contracted land for development, and fully restores Williamson Act subventions.
28. SUPPORT legislation that would preserve or enhance protections now afforded to consumers for commercial transactions involving commercial weighing or measuring devices (scales, meters and scanners) or computed by point-of-sale systems.

ANIMAL SERVICES

29. SUPPORT actions to expand access to care for animal owners, including spay and neuter services.
30. SUPPORT actions to protect pet retention.
31. SUPPORT actions to address and prevent animal over-population.
32. SUPPORT actions to protect or increase local control and flexibility over the scope and level of animal services, consistent with local needs and priorities.
33. SUPPORT efforts to preserve the integrity of existing County policy relating to Animal Services (e.g., the Animal Control Ordinance and land use requirements).

ARTIFICIAL INTELLIGENCE

34. SUPPORT engagement on policy discussions surrounding the development and use of artificial intelligence. The policies should recognize and allow for AI's beneficial uses, including by counties, but prohibit areas of potential misuse.

CHILD SUPPORT SERVICES

35. SUPPORT recognition, promotion and enhancement of the child support program as a safety net program.
36. SUPPORT legislative efforts to make child support enforcement flexible, when guardians are coparenting cooperatively and in agreement with each other.

CLIMATE CHANGE

37. SUPPORT consistent funding and policy to implement the following:

- ✓ Technologies and clean energy solutions that achieve the County's climate goals, including battery energy storage and microgrids, solar and wind energy, electric vehicles (EV), EV infrastructure for charging and battery recycling;
- ✓ Energy efficiency programs that encourage whole-building retrofits and address asthma triggers in the built environment;
- ✓ Preparation of the Resilient Shoreline Plan that will identify strategies and pathways for adapting to rising sea levels in the Bay and Delta;
- ✓ Planning and implementation of community solar;
- ✓ Active transportation and green infrastructure programs;
- ✓ Job training for careers in clean energy, clean transportation, and green infrastructure.

38. SUPPORT consistent funding and policy to harden and enhance the infrastructure of public facilities, including public hospitals and health care centers, to the impacts of climate change.
39. SUPPORT consistent funding and policy to conserve, restore, and enhance the region's natural resources, including watersheds, habitats and species, to support a functioning ecosystem that sequesters carbon and is resilient to the impacts of climate change.
40. SUPPORT actions that address the impacts of climate change; support climate adaptation and resilience efforts; support the Green Business program; reduce exposure to toxic air pollutants and greenhouse gases; study and recognize the health impacts of global and regional climate change; support a transition away from leaded aviation fuels; and study the economic, workforce and social impacts of transitioning away from fossil fuels.
41. SUPPORT actions that address the disproportionate impacts that some communities bear because they are located near sources of exposure such as large industrial facilities, freeways, or transportation corridors and/or live in proximity to areas vulnerable to sea level rise, inland flooding, and other climate-related impacts.

42. ENSURE that the implementation of AB 32 and successor bills results in harmony between the greenhouse gas reduction target created by the Air Resources Board for each regional/local agency, data that reveals disparity in population health status, the housing needs numbers provided by the state Department of Housing and Community Development, and the Sustainable Communities Strategy developed through the Regional Transportation Plan processes.
43. SUPPORT efforts that favor allocation of funding and infrastructure from the California Climate Investments Program to jurisdictions within whose boundaries are the largest emitters of greenhouse gas, have vulnerable and/or disadvantaged communities that are disproportionately affected by climate change and environmental pollution, have Natural Community Conservation Plans or similar land conservation efforts that will address climate change, and have demonstrated a local commitment to climate protection.
44. SUPPORT California Climate Investments funding for the conservation of natural lands, parks and open space through fee title acquisition as well as easements.
45. SUPPORT efforts to expand eligible expenditures of the Climate Investments to investments in accessible transit/transportation systems (serving seniors, disabled, and veterans), and in investments in infrastructure and programs to promote active transportation, particularly bicycling and walking including the Iron Horse corridor and other trails.

46. SUPPORT investments in active transportation infrastructure along the Iron Horse Corridor, including double-tracking to create an adjacent, paved path for higher speed cyclists, and enhanced connections to transit, schools, jobs, and other trail systems.
47. OPPOSE changes to the California Environmental Protection Agency's protocols for designating disadvantaged communities which result in a reduction in the number or size of disadvantaged communities in Contra Costa County prioritized for receipt of California Climate Investment funds.
48. SUPPORT efforts to ensure life-cycle costs are considered when planning new projects.

49. SUPPORT the autonomy of community choice aggregators (CCAs) in policymaking and decision-making. OPPOSE legislation and regulatory policies that unfairly disadvantage CCAs or CCA customers or reduce or undermine local decision-making autonomy by the CCA.
50. SUPPORT continuing development of local renewable energy resources and supply, including hydrogen fuel cells and storage, and the protection of local autonomy to administer energy efficiency programs and install and utilize integrated distributed energy resources, and SUPPORT effective leveraging of energy efficiency programs tailored to address local needs and concerns.
51. SUPPORT complete transparency of all energy procurement practices, stranded costs, and departing load charges; fair competition in statewide energy markets for community choice aggregators (CCAs) and municipal or other publicly owned utilities; legislation and regulatory

policies that protect CCA customers from improper cost allocation; and OPPOSE legislation that conflicts with or diminishes CCA procurement autonomy.

52. SUPPORT requirements for investor-owned and public energy utilities to provide local governments with energy usage data for all facilities in their jurisdictions for purposes of developing inventories of greenhouse gas emissions within their boundaries.
53. SUPPORT requirements and funding for greenhouse gas emission inventories to be prepared for local governments on a regular basis.
54. SUPPORT resources for local governments to address impacts of climate change caused by a changing climate, such as extreme weather, wildfire smoke, sea level rise, flooding, drought, groundwater rise, fires, and power disruptions.
55. SUPPORT actions that cost-effectively reduce exposure to criteria air pollutants and toxic air pollutants.

THE DELTA

56. PROTECT and RESTORE a healthy sustainable Delta ecosystem, including adequate water quality, inflow and outflow, and water supply, to support fisheries, wildlife and habitat and control invasive species.
57. RESPECT and SAFEGUARD Delta Counties' responsibilities related to land use, water resources, flood management, tax revenues, public health and safety, economic development, agricultural stability, recreation, and environmental protection in any projects, policies, or operations.
58. SUPPORT rehabilitation, improvement, and maintenance of levees throughout the Delta.
59. SUPPORT efforts that further the obligation of all users of water flowing through the Delta to restore, maintain, improve, and protect this shared resource and referred to as the "Delta pool" concept.

60. REPRESENT and include local government in any governance structures for the Delta.
61. OPPOSE isolated conveyance.

ECONOMIC DEVELOPMENT

62. ADVOCATE for jobs-oriented incentive programs for jurisdictions that have a significant jobs/housing imbalance or rely on industries the state plans to transition.
63. SUPPORT an amendment to the California Competes Tax Credit program guidelines to consider qualifying low-income census tracts within unincorporated areas of a county in the enhanced scoring category.

ELECTIONS

64. SUPPORT full state reimbursement for state mandates imposed upon local registrars by the Secretary of State, including special state elections, signature verification and petition efforts, special elections and redistricting activities.
65. SUPPORT legislation to assist and fully fund counties in the effective implementation of State-mandated changes in the elections process and administration including but not limited to expanded access to language assistance.
66. OPPOSE any legislation that imposes specific and impractical requirements regarding equipment, procedures, and personnel responsibilities for election administration.
67. OPPOSE any legislation that requires any specific methodologies for post-election audits.
68. SUPPORT policies that facilitate secure elections.

69. SUPPORT legislation that increases protections against interfering with the casting of ballots at polling places or by mail, including increasing fines and/or penalties for practices that attempt to impede the voting process or intimidate votes.
70. SUPPORT legislation to protect election workers from harassment and to ensure the physical safety of workplaces for election administrators.
71. SUPPORT legislation to allow for the secure and effective use of new technologies available in the field of election administration and to provide adequate funding for both deployment and maintenance of new technologies.
72. SUPPORT proposals that provide elections officials flexibility on the availability of in-person voting locations and the recruitment of poll workers in response to emergency orders.

EMERGENCY PREPAREDNESS AND EMERGENCY RESPONSE

73. SUPPORT efforts to improve and expand interoperable public safety radio systems.
74. SUPPORT legislation that will improve forest management and emergency communications systems.
75. SUPPORT increased funding for defensible space inspections, community wildfire risk mitigation, and for hardening of existing homes from wildfire exposure.
76. SUPPORT a sales tax exemption for public safety related apparatus and/or equipment over a certain value (e.g., $250,000).

77. SUPPORT exemptions from CEQA for wildfire risk mitigation projects, natural disaster preparedness projects, and Essential Services Facilities (ESF) such as fire stations, and exemptions from fees and air quality limitations for emergency generators at fire stations.
78. SUPPORT legislation and regulatory actions that would streamline the state and local wildfire mitigation area designation process, including fire hazard severity zone mapping that impacts insurance rates, that allow for input from local governments and fire professionals and clarifies roles and responsibilities for federal, state, and local agencies.
79. SUPPORT increased funding for services associated with disaster response, including mutual aid provided for wildfires, floods, or other such incidents.

80. SUPPORT legislation and funding for research on the adverse health impacts, including increased rates of cancer, faced by firefighters and emerging technologies that can help lower the long-term health impacts.
81. SUPPORT legislation that provides supports for the mental health of public safety personnel, including law enforcement and firefighters, such as peer support and mental health counseling.
82. SUPPORT a permanent resolution to the reimbursement for air ambulance providers.
83. ENSURE that development impact fees provide adequate funding for public safety facilities, including law enforcement, fire, and emergency response, along with ongoing maintenance and operations.
84. SUPPORT legislation to improve telephone and cellular access or back-up during emergencies, and improvements to the community warning systems and evacuation map technologies.
85. SUPPORT actions that increase the safety of the shipment of hazardous materials by pipeline through better monitoring, technical seismic vulnerability studies, leak detection, operational practices, and equipment.
86. SUPPORT California legislation requiring all wireless carriers to participate in the Wireless Emergency Alerts (WEA) program to ensure universal public access to life-saving notifications.
87. SUPPORT legislation requiring phone carriers to maintain access to Plain Old Telephone Service (POTS) to ensure reliable communication for vulnerable populations, emergency services, and areas with limited broadband access.
88. SUPPORT state funding and policy initiatives to develop and deploy innovative emergency alert technologies, improving the reliability and inclusiveness of disaster communication systems.
89. SUPPORT policies and funding that will ensure equitable access to essential, life-saving information for all individuals during emergencies.
90. SUPPORT policies that establish weather-related disasters as reimbursable events through existing recovery programs.

91. ENSURE that new emergency and disaster response legislation provides adequate funding and guidance to support legislative initiatives.
92. SUPPORT legislation that provides funding and resources to enhance local emergency management organizations.
93. SUPPORT more authority and resources for Community Emergency Response Training (CERT) to support volunteer training and community preparedness/resiliency programs.
94. SUPPORT legislation to maintain or strengthen the authority and governing role of counties and their local emergency medical services agencies to plan, implement, and evaluate all aspects and components of the emergency medical services system.
95. SUPPORT legislation to maintain or strengthen the administration and medical control of emergency medical services, pre-hospital emergency medical care, and ambulance services at the county level.
96. SUPPORT legislation that would enable paramedics and emergency medical technicians responding to 911 calls to transport patients to the most appropriate facility, such as, mental health urgent care centers or sobering centers, subject to the County's Emergency Medical Services Policy.
97. OPPOSE legislation that would threaten or weaken the authority and governing role of counties or local medical control over the locally coordinated and standardized provision of emergency medical services, including changes to how operating area exclusivity is conferred.
98. OPPOSE legislation that may result in the fragmentation of the emergency medical services systems, prehospital emergency medical care, and ambulance services.
99. OPPOSE legislation that would prevent or weaken the ability of the LEMSA Medical Director to assure medical control of the EMS system.

FLOOD CONTROL AND CLEAN WATER

100. SUPPORT legislation that would improve integration of planning between member agencies of an Integrated Regional Water Management Planning group, thereby increasing multi-benefit projects.

101. SUPPORT increased funding to comply with clean water requirements imposed by regional bodies.

102. SUPPORT legislation that would require Metropolitan Planning Organizations to integrate local and regional stormwater needs into their regional transportation planning process.

HEALTH CARE

103. SUPPORT legislation and administrative policy changes that will continue into the future the flexibilities in use of Telehealth services that have so benefited our community during the Public Health Emergency.

104. SUPPORT state action to increase health care access and affordability. Ensure that policies put forth by the state Office of Health Care Affordability do not impede access to care or compound the challenges from federal funding cuts because of H.R. 1 (2025) and other actions. OPPOSE decisions by the Office, such as the imposition of statewide health care spending caps, which could reduce needed investment in our local health care system and reduce access to health care services for Contra Costa residents.

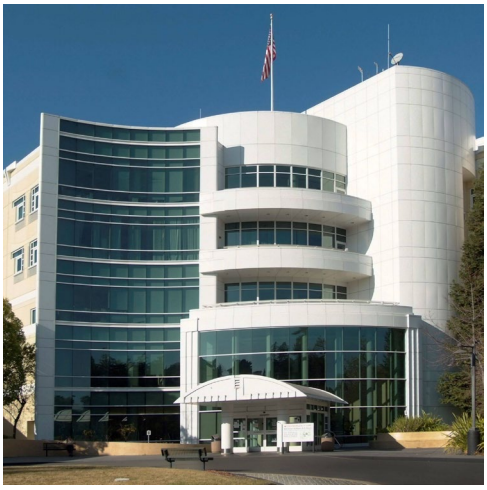
105. SUPPORT Medi-Cal reimbursement rate increases to incentivize providers to participate in the program. Also, SUPPORT Medi-Cal reimbursement rate increases to provide quality reproductive health care services.

106. SUPPORT reimbursement for a maximum of 2 visits taking place on the same day at one location if the patient suffers illness/ injury requiring additional diagnosis/ treatment, or if the patient has a medical visit and mental health or dental visit.

107. SUPPORT actions that address provider shortages (including physicians, particularly specialists, and nurses). Innovative programs, such as loan forgiveness programs, should be expanded.

108. SUPPORT legislation that increases Medicare Graduate Medical Education (GME) physician residency training positions to address the physician workforce shortage.

109. SUPPORT actions that implement comprehensive systems of care, including case management, for frequent users of emergency care and those with chronic diseases and/or dual (or multiple) diagnoses.



110. SUPPORT actions that provide sufficient time for detailed data gathering of current safety net funding in the system and the impact of any redirection of funds on remaining county responsibilities.

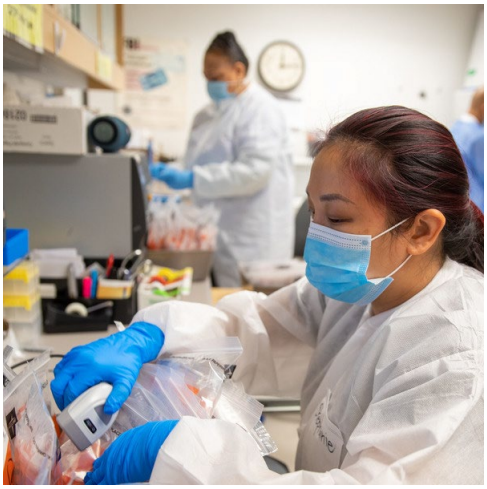
111. SUPPORT actions to implement a Medi-Cal waiver in a manner that maximizes the drawdown of federal funds for services and facilities, provides flexibility, and ensures that counties receive their fair share of funding.

112. SUPPORT actions to extend Drug Medi-Cal and Minor Consent Medi-Cal Coverage to incarcerated youths, many of whom are in custody due to drug related crimes.

113. SUPPORT coverage of medically necessary alcohol and substance use related disorder treatment at the same level as other medical conditions.

114. SUPPORT legislation that extends the restrictions and prohibitions against the smoking of, and exposure to, tobacco products, and the promotion of cessation among young people and adults.

115. SUPPORT actions that further align a statewide regulatory framework for the commercial cannabis industry and that continue to authorize local jurisdictions to adopt more restrictive measures to protect the health, safety and welfare of their residents. OPPOSE legislation and state regulation that seeks to weaken or eliminate local control over the commercial cannabis industry.
116. SUPPORT necessary County infrastructure and adequate funding related to education, regulation, testing and enforcement functions associated with cannabis regulatory controls.
117. SUPPORT restricting the sale and use of powdered alcohol and other similar products marketed to youth; restrictions on advertising of cannabis products targeting youth and near places frequented by youth or alcohol and other drug treatment facilities.
118. SUPPORT legislation that extends the restrictions and prohibitions against the smoking of, and exposure to, cannabis products in various places, including, but not limited to, places of employment, school campuses, public buildings, day care facilities, multi-family housing, health facilities, alcohol and other drug treatment facilities, and homeless shelters.
119. SUPPORT actions to seek a state ban on electronic devices that deliver flavored e-liquids as well as the e-juice itself.
120. SUPPORT actions aimed at reducing the misuse of prescription drugs, most especially opioids, and increase prevention and treatment of opioid disorders to eliminate overdoses and combat the opioid epidemic.
121. SUPPORT population-based chronic disease prevention efforts such as the creation and funding of a State Wellness Trust.
122. SUPPORT developing a workforce with gerontological expertise to manage the exponential growth in the chronically ill aging population.
123. SUPPORT efforts that would advance a Health-In-All-Policies approach to policy work done across the County. This implies consideration of how health is influenced by the built environment and a connection with land use planning and development.
124. SUPPORT ongoing study of the health impacts of global and regional climate change and ongoing countywide mitigation and adaptation efforts.
125. SUPPORT actions that would preserve the nature and quality and continuity of care associated with safety net services historically provided at the local level, such as the California Children's Services (CCS) and Child Health and Disability Prevention (CHDP) programs.
126. SUPPORT actions that promote aging in place through the utilization of long-term supports and services and caregiver support services.
127. SUPPORT funding, streamlined processes, and greater flexibility for use of state and federal funding to respond to Public Health Emergency Preparedness initiatives including Pandemic Influenza, emerging diseases, and continued funding for all categories related to Public Health Preparedness.
128. SUPPORT Local Public Health Departments as an authorized provider for direct billing reimbursement related to the provision of Immunization, Family Planning, HIV, STD and TB services.



129. SUPPORT the reversal of the pre-emption language regarding local Menu-Labeling that is included the Affordable Care Act.
130. SUPPORT efforts to strengthen needle exchange programs as part of an overall program to combat the spread of HIV and other diseases.
131. SUPPORT legislative efforts to reduce or eliminate lead and toxic substances in consumer products, particularly those used by infants and children.
132. SUPPORT funding, policy and programs dedicated to suicide, injury and violence prevention.
133. SUPPORT legislation to tax certain beverages that contain added sugars.
134. SUPPORT efforts that support healthy meals, adequate meal time, and increased physical activity/education for school-age children.
135. SUPPORT efforts to address "food deserts" so that healthy food such as fruits, vegetables, and produce are sold at retail stores throughout all regions of the County and encourage healthy food consumption.
136. SUPPORT funding that sustains and expands non-infrastructure *Safe Routes to School* programs that educate students, parents, and school staff about safe walking and bicycling to school.
137. SUPPORT efforts to address the underlying determinants of health and health equity, such as housing and prevention of displacement, educational attainment and livable wage jobs, and accessible transportation.
138. SUPPORT efforts and funding for screening for all forms of interpersonal violence by medical providers.

HOMELESS SERVICES

139. SUPPORT the continuation and expansion of funding for fair and equitable affordable housing, homelessness assistance and prevention programs, and strategic local and regional responses to homelessness that promote transparency, equity and data informed decision-making and enhance

access to resources that support the County's compliance with federal and state anti-homelessness and anti-poverty initiatives and requirements.

140. SUPPORT increasing and maintaining affordable housing stock and housing stability by way of supporting funding, policy, or regulations that promote fair and equitable housing for the most vulnerable low, very low, and extremely low-income households, including the acquisition, production and preservation of various housing types and the protection of stable housing for vulnerable persons experiencing homelessness.

141. SUPPORT removal of barriers in planning processes, regulatory frameworks, funding programs, healthcare access, and policy to promote increased equity, innovation, transparency and data-driven approaches to addressing homelessness and housing affordability, with the goals of increasing affordable housing and eliminating discrimination and disparate treatment of individuals based on race, ethnicity, gender, gender identity, sexual orientation, ability, housing status, income, or other household characteristics.

142. SUPPORT a wide variety of housing types and formats, for all persons regardless of personal characteristic or status, and actively promote the equitable distribution and access to affordable units and holistic services, in line with evidence-based practices, to ensure the elimination of discrimination and disparate treatment of individuals, particularly vulnerable individuals and those from communities of color.

143. SUPPORT increasing funding, policy, and regulations for disaster planning and relief efforts that allow the County and the County's homeless system to plan for and equitably respond to disasters and pandemics, including for purposes of supporting the health and safety of providers and persons experiencing homelessness, particularly the most vulnerable and those from communities of color.

HUMAN SERVICES

CHILD WELFARE SERVICES

144. SUPPORT the development or designation of safe, appropriate placement options and congregate care reform for foster youth with acute complex needs.

145. SUPPORT initiatives which would expand benefits and support for reunified families.

146. SUPPORT restorative justice and healing-centered framework initiatives and programs that seek to eliminate the school-to-prison pipeline and end the criminalization of youth.

147. SUPPORT funding and initiatives to support children's mental health and studies on the long-term impacts of COVID-19 on the physical and mental health of adults and children.

EARLY CHILDHOOD DEVELOPMENT

148. SUPPORT legislation to expand early childcare, education, mental health, developmental screenings, and other comprehensive services and holistic approaches.

149. SUPPORT early childhood education, including preschool enrichment programs with family engagement to provide quality care and parent education in early life.

150. SUPPORT policies and systems changes to foster holistic family and early childhood development and resilience.

151. SUPPORT early childhood home visitation to enhance parenting skills and promote health child development.

152. SUPPORT early childhood mental health and trauma prevention programs.

IMMIGRATION, EQUITY, AND INCLUSION

153. SUPPORT the continued expansion of benefits and services for immigrants, refugees, and asylum seekers regardless of immigration status.

154. SUPPORT efforts to expand full scope Medi-Cal to include Deferred Action for Childhood Arrivals (DACA) youth, seniors, and all remaining uninsured residents regardless of their immigration status.

155. SUPPORT increased language access and culturally responsive social services for all immigrants.

156. SUPPORT actions to assist immigrants, refugees, and other seeking asylum who experience domestic or sexual assault to receive resources, including services to prevent homelessness, labor and human trafficking, and legal resources to help attain citizenship.

157. SUPPORT education and outreach to engage immigrants, refugees, asylum-seekers, and non-legal status communities to help them access benefits, mitigate concerns around public charge, and address other issues related to their enrollment to safety net programs.

158. OPPOSE any changes that may penalize immigrants for using vital public benefits they are legally allowed to access. OPPOSE any changes to sponsor requirements which add limiting threshold criteria.

159. SUPPORT day labor programs and other workforce development programs that serve immigrant communities and undocumented workers.

160. SUPPORT actions that would eliminate systemic racism and structural inequities, including efforts to refocus Medi-Cal and other social safety net programs toward reducing health disparities.

OLDER ADULT SERVICES

161. SUPPORT actions that promote individual choice by easing access to In Home Supportive Services (IHSS). SUPPORT funding to reduce the intake wait-time for eligibility and delivery of in-home care.
162. SUPPORT allowing counties to use alternative IHSS reassessment approaches including, but not limited to, telephonic reassessments.
163. SUPPORT programs that increase seniors' access to technology and internet connection.
164. SUPPORT fully funding the administration of IHSS, including statewide labor bargaining and negotiations..
165. SUPPORT funding to recruit, train, and retain IHSS home health care workers. SUPPORT increased state investment in livable wages for IHSS care providers.
166. SUPPORT actions to provide respite for caregivers.
167. SUPPORT the creation of funding opportunities and policies which promote the development of aging-friendly communities.
168. SUPPORT actions that strengthen the capacity and funding of Adult Protective Services (APS) to address all forms of abuse and neglect.
169. SUPPORT funding to expand services for older adults and people with disabilities.
170. SUPPORT actions to promote the safety of social workers and all in-home care providers.
171. SUPPORT funding and policies to provide older adults with holistic, culturally appropriate services and treatment modalities that support well-being, health, and mental health.
172. SUPPORT actions that promote safety in skilled nursing and other long-term care facilities for older adults.

SAFETY NET PROGRAMS

173. OPPOSE actions that result in reduced level of services to families, children, adults and seniors, or that lead to preemption of local control.
174. SUPPORT continuous investment in safety net programs, including the California Earned Income Tax Credit (Cal EITC) and the Supplemental Security Income/State Supplementary Payment (SSI/SSP) Program.
175. SUPPORT continued flexibilities and waivers in benefits program administration for the benefit of individuals and families who are struggling.
176. SUPPORT actions to improve and expand access to food, including emergency food assistance networks (e.g. local

food banks and food pantries), increasing the amount and flexibility of CalFresh and other local assistance programs.

177. SUPPORT actions to streamline benefit applications, align verifications between programs, and have the same appointment for multiple applications.

178. SUPPORT the ease of data sharing and coordination of care across safety net programs, including those administered by the Health Department, such as WIC.

179. SUPPORT actions to ease access to Medi-Cal and its services.

180. SUPPORT actions which would expand funding, grant allotments, and eligibility to CalWORKS, and expand CalWORKS supportive services.

181. SUPPORT increased access to employment training programs and subsidized work programs for vulnerable populations, including access to community colleges.

182. SUPPORT establishing a General Assistance Program with a state share of funding.

183. SUPPORT actions to create whole family care through a more comprehensive safety net of services that enable families to be stable and have economic opportunities.

184. SUPPORT research that describes and assesses local service needs and gaps.

VIOLENCE PREVENTION

185. SUPPORT actions that seek to address the impact of gun violence, community violence, and interpersonal violence, including but not limited to, domestic violence, family violence, stalking, sexual assault, all forms of human trafficking, elder abuse, dependent adult abuse, and child abuse.

186. SUPPORT actions that seek to prevent the underlying and root causes of all forms of violence and invest in upstream strategies.

187. SUPPORT actions to increase cross-agency and cross-system collaboration on cases involving violence, including the sharing of confidential or protected information in multidisciplinary team settings.

188. SUPPORT actions to reduce the effects of toxic stress, trauma, and adverse childhood experiences.

189. SUPPORT alternatives to the criminal justice system that center community and survivor needs, including those that focus on accountability between a person who has caused harm and the people affected by the harm and those that address the root causes of harm while upholding the dignity of those who have caused harm.

190. SUPPORT actions to support successful transition from incarceration and detention to the community.

191. SUPPORT efforts that provide funding for and increase access to emergency shelters, transitional housing, affordable housing, and home ownership for survivors of all forms of interpersonal violence.

192. SUPPORT efforts and legislation that increases funding for building equity and promotes data practices that uphold truth, learning, consent, and accountability, in the data collection and research on the effectiveness of interpersonal violence prevention, intervention, and innovation strategies.

193. SUPPORT efforts that prevent and remedy the impact of financial and economic abuse/exploitation and that increase economic opportunity and security for survivors of all forms of interpersonal violence.

JUSTICE SYSTEMS

194. SUPPORT justice reform efforts that reduce racial and ethnic disparities.

195. SUPPORT justice reform efforts that reduce barriers to success for system-involved youth and adults. SUPPORT legislation that encourages and increases youth engagement.

196. SUPPORT justice reform legislation that recognizes adolescent brain development and the unique needs of transition-aged youth.

197. SUPPORT an ongoing commitment to investing in community-based organizations and community alternatives to incarceration and detention, as well as prevention.

198. SUPPORT legislation to restore pretrial detainee access to federal health benefits.

199. SUPPORT local flexibility and funding to implement justice prevention and diversion programs, including expanding the use of and funding for diversion for individuals charged with criminal offenses.

200. SUPPORT diversion and community-based restoration to address the incompetent to stand trial (IST) waitlist, including by expanding diversion and community-based restoration to reduce the felony IST waitlist.

201. OPPOSE legislation that would shift the responsibility of parolees from the state to the counties without adequate notification, documentation and funding.

202. SUPPORT legislation that will help counties implement 2011 Public Safety Realignment as long as the proposal would provide for county flexibility, eliminate redundant or unnecessary reporting, and would not transfer more responsibility without funding.

203. SUPPORT legislation that advocates for State General Fund backfill of lost revenues of 2011 Public Safety Realignment to ensure the provisions of core services.

204. SUPPORT funding for rehabilitation and treatment for incarcerated individuals. Seek funding to support in custody programming and facilities to enhance the County's rehabilitation and treatment programs for incarcerated individuals with mental health and substance use disorders.

205. SUPPORT legislation and efforts that remove barriers and obstacles for reentry for justice involved individuals to obtain and retain employment, housing, and other supportive services.

206. SUPPORT legislation for the establishment and sustainable funding for Reentry Housing and Workforce Development Programs.

207. SUPPORT legislation that will combat the negative impact that human trafficking has on victims in our communities, including the impact that this activity has on a range of County services and supports, and support additional tools, resources and funding to help counties address this growing problem.

208. SUPPORT legislative reform of current bail provisions that will replace reliance on money bail with a system that incorporates evidence-based pretrial release decisions. ADVOCATE for funding for any new or revised responsibilities for counties, including the assessment and supervision of people charged with crimes.

209. SUPPORT funding for pre-trial services community-based supervision of those charged with crimes. Advocate to expand funding for pre-trial services via an increase in direct county allocations.

210. SUPPORT increased CARE Court Funding for counties and adequate, flexible, and sustained funding across all impacted local agencies to support counties' efforts to implement the Community

Assistance, Recovery, and Empowerment (CARE) Act and to amend existing law to ensure its successful implementation.

211. SUPPORT legislation to require equitable grant funding to Public Defender offices for the defense and protection of clients equivalent to the grant funding provided for the investigation and prosecution of crime.

212. SUPPORT legislation or administrative action to fully fund optimal workloads for public defenders, that address historical funding imbalances, and that provide grants to improve the provision of indigent defense services.

213. SUPPORT legislation for increased transparency related to law enforcement misconduct and POST decertification actions.

214. SUPPORT legislation that provides a solution to addressing the problems of metal theft and abandoned and trespassing vessels and ground tackle.

215. SUPPORT legislation and funding to prevent, address, and prosecute those involved with organized retail theft.

LAND USE/COMMUNITY DEVELOPMENT/NATURAL RESOURCES

216. SUPPORT the production, protection, and preservation of low and moderate income housing by: 1) increasing access to state and other financing sources, 2) facilitating local and regional efforts to develop new funding, and 3) incentivizing local agencies to promote such housing in their policies and actions rather than limiting their authority based on housing production numbers that are outside their control.

217. MAINTAIN local agency land use authority.

218. SUPPORT ways to streamline overall compliance with State legislation, while opposing efforts to expedite a particular development project.

219. ENSURE Contra Costa residents of all income categories have access to adequate housing.

220. GROW more jobs countywide, particularly in those parts of the County with the longest commutes and most acute jobs-housing imbalance.

221. SUPPORT historically under-invested communities in their equitable economic growth.

222. IDENTIFY new or enhanced revenue to support residents' quality of life.

223. ESTABLISH, fund and support locally-controlled resource permitting to streamline economic development activities and conserve, restore, and recover species and the habitats upon which they depend, natural resources, watersheds and open space.

224. SUPPORT legislative actions that reduce the risk to students from the accidental release of hazardous materials by requiring risk assessments that account for all sources of hazardous materials as part of school siting and rebuilding decisions.

225. SUPPORT legislative actions to evaluate, clean up, and redevelop contaminated sites.

LIBRARY SERVICES

226. SUPPORT State funding for the operation of public libraries, including but not limited to, full funding of the California Research and Education Network (CalREN), Lunch at the Library, Zip Books, and the Pacific Library Partnership.

227. SUPPORT State bonds and other state funding for public library renovation and construction.

228. SUPPORT the California Library Literacy and English Acquisition Services Program, which provides matching funds for public library adult literacy programs that offer free, confidential, one-on-one basic literacy instruction.

229. SUPPORT legislation that allows libraries to purchase eBooks and e-audiobooks at the same price as consumers.

230. SUPPORT early literacy, school readiness, adult literacy, career development, vocational support, and assistance to vulnerable populations.

PUBLIC INFORMATION AND TRANSPARENCY

231. SUPPORT legislation that strengthens transparency and public access to government information, such as public records, open data initiatives, and government meeting broadcasts.

232. SUPPORT initiatives that address the spread of misinformation and disinformation, particularly on social media platforms, which can undermine public trust and safety.

233. SUPPORT legislative measures that promote media literacy in schools and communities to help the public better evaluate news sources and the credibility of information.

TELECOMMUNICATIONS AND BROADBAND

234. SUPPORT preservation of local government ownership and control of the local public rights-of-way and ensure reasonable compensation for their use.

235. SUPPORT state initiatives and programs that expand broadband access, especially in underserved, rural, or low-income areas.

236. SUPPORT bridging the Digital Divide through legislative actions that reduce gaps in digital equity, access and literacy for marginalized communities.

237. SUPPORT state policies that support local efforts to adopt new technologies without compromising public health, privacy, or local autonomy.

238. SUPPORT Public, Educational and Government Access (PEG) channels to provide local community access and benefits and increase flexibility in the use of PEG funds.

239. ENSURE nondiscriminatory treatment of Public, Educational and Government Access Channels by Cable System Operators.

240. SUPPORT the expansion of broadband (high speed internet service) to drive economic development and job opportunities, support county service delivery, and improve health, education and public safety outcomes for residents.

241. SUPPORT expanded programs and outreach for programs, discounts, and subsidies that are available to eligible members of the community for internet service and computer equipment.

242. OPPOSE plans to eliminate access to landlines (Carrier of Last Resort) and other services that would affect the ability to access 911.

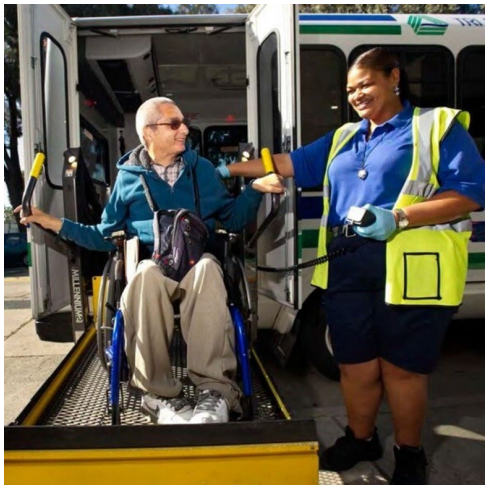
TRANSPORTATION

243. EXPLORE options for strategic eligibility expansion of paved, non-motorized regional corridors for transportation related revenues, while limiting dilution of funding for maintenance activities.

244. SUPPORT changes to active transportation funding program statutes and policies that would accommodate maintenance activities.

245. EXPLORE options to reform state law limiting defendants' liability to their proportionate share of responsibility, in order to equitable distribute liability for a given harm and prevent a defendant determined to be only minimally liable to be forced to pay the entire judgement.

246. PROVIDE an integrated, multi-modal transportation system that equitably, safely and efficiently meets the transportation needs of all economic and social segments of the County and provides for the transport of goods and services throughout Contra Costa County.



247. EMPHASIZE the efficient use of the existing transportation system and cost-effective enhancements to this system. New and emerging policy direction includes an increase in the support for active transportation modes, support for the development of aging-friendly communities, and a decreasing emphasis on automotive capacity expanding projects which increase greenhouse gas production.

248. SUPPORT the provision of a safe, reliable, efficient, and accessible transportation system that balances social, environmental, and economic needs of the County through participation in planning and legislative initiatives (at the federal, state and local level) which emphasize transportation improvements for seniors and persons with disabilities reflective of an increase in demand and a legacy of underinvestment.

249. SUPPORT legislation that would have the State act on their 20-year legacy of identifying gaps in the accessible transportation system and then declining to implement identified solutions.

250. SUPPORT increased flexibility in the use of transportation funds.

251. SUPPORT increased regional coordination, while ensuring local input to enhance public transit (paratransit and fixed route), roads, trails, advanced mobility technology, and greenhouse gas reduction related projects.

252. ENSURE complete life-cycle costs, including an emphasis on environmentally friendly construction resources, are considered during state and local project development.

253. SUPPORT improvements in safety throughout the transportation system, specifically for vulnerable users of the system (such as children, pedestrians, cyclists, older persons, persons with disabilities, etc.).

254. PROMOTE the streamlining of transportation safety projects.

255. SUPPORT actions to put in place local planning coordination mechanisms and requirements for state funded or regulated facilities such as schools, roads, courts, jails, and OPPOSE efforts to compromise the County's road authority and the ability to protect public health, safety, and welfare.

256. SUPPORT regional, coordinated aviation transportation planning efforts to improve service delivery and to provide options to the surface transportation system for people and goods movement.

257. SUPPORT actions to increase waterborne transport of goods, in particular relative to the San Francisco to Stockton Ship Channel.

258. SUPPORT measures to enhance rail safety with an emphasis on; increased state oversight of railroad bridges, funding for first responder training, funding to improve rail safety and prevent rail trespass fatalities, improved regulations for tank car safety standards, impacts from sea-level rise, and data sharing requirements between state emergency managers, local responders, and rail operators.

259. OPPOSE linking transportation funding to housing production.

260. OPPOSE reducing or eliminating development impact fees (without secured backfill) in an effort to increase housing production.

261. INCREASE requirements for coordination between transportation agencies and utilities.

262. SUPPORT funding increases for active transportation projects and planning with an emphasis on facilities and investments that increase the likelihood of a mode shift away from automobiles, including double-tracking to create a separate bike lane to facilitate higher-speed bicyclists on multi-use trails such as the Iron Horse Corridor to provide last-mile access to transit, education, and employment.

263. PROVIDE resources to facilitate the deployment of electric vehicles and electric vehicle charging infrastructure, including funding for vehicles, chargers, and facility upgrades, and improvements to the electric distribution and transmission grids to safely accommodate increased load.

264. SUPPORT actions to increase and improve waterborne transportation of goods when it increases safety.

VETERANS

265. SUPPORT legislation and budget actions that will continue the state's annual local assistance for County Veterans Service Offices at a minimum of $11 million.

266. SUPPORT legislation and funding that will provide veterans organizations with resources to operate and make necessary repairs to, or replacement of, their meeting halls and facilities.

267. SUPPORT legislation that will improve the timeliness and quality of both VA benefits claim decisions and VA healthcare services.

268. SUPPORT legislation that will outlaw the charging of fees to file a veteran's compensation or pension claim.

WASTE MANAGEMENT

269. MAINTAIN the County's existing discretionary authority over matters pertaining to solid or hazardous waste management, recovery, and disposal. ENSURE new or expanded responsibilities are not imposed on the County, either directly or indirectly, without providing statutory authority to guarantee funding to implement actions necessary to adequately enforce or comply.

270. SUPPORT legislation to provide alternative management standards for the Treated Wood program at the Department of Toxic Substance Control so treated wood could be processed at Class II landfills and transfer stations with a composite line.

271. SUPPORT legislation that:

- ✓ Protects local decision-making authority regarding solid waste facility siting;
- ✓ Protects local solid waste franchising authority;
- ✓ Expands local solid waste and recycling fee-setting authority;

- ✓ Protects local governments' authority to direct the flow of waste; and
- ✓ Seeks to remedy lack of sufficient authority to address statutory responsibilities.

272. SUPPORT legislation promoting the diversion of recyclables and organics from landfills unless burdensome or impractical for local governments to implement.

273. SEEK more robust local regulatory and enforcement authority relative to the storage, transport, processing, recovery, and disposal of hazardous or solid waste.

274. SUPPORT statewide regulation for hauling solid waste and enforcing increased penalties for illegal dumping.

275. SUPPORT legislation that prioritizes, incentivizes, and innovates hazardous or solid waste reduction and reuse practices of the waste hierarchy over traditional recycling.

276. SUPPORT actions to improve and diversify markets for recyclable materials and that encourages:

- ✓ Solutions to global policy reforms and development of local recycling markets;
- ✓ Creation of economic incentives for the use of recycled materials;
- ✓ Increased use of recycled content in products manufactured or sold in California; and
- ✓ Increased use of materials that are biodegradable and compostable.

277. OPPOSE legislation that requires diversion of materials for which there are not adequate markets.

278. ENSURE manufacturers are held accountable for proper end-of-life management of products and packing materials they produce to create effective producer-led reduction, reuse and recycling programs, foster more environmentally sustainable product/packaging design, and reduce the quantity of harmful pharmaceuticals (including veterinary medicine) that ultimately enter wastewater treatment facilities, bodies of water, and landfills.

279. SUPPORT actions that will shift end-of-life management of products from individuals to producers and sellers.

280. SUPPORT statewide regulation and enforcement to limit production or sale of items that negatively impact the environment or human health.

281. SUPPORT legislation that protects human health and the environment from exposure to hazardous materials and hazardous wastes such as per- and polyfluoroalkyl substances (PFAS).

282. OPPOSE actions that require counties to site, fund, approve, build and/or operate organic processing facilities, including composting operations.

283. SUPPORT actions to protect and expand waste diversion credits or disposal reduction credits.

284. SUPPORT the development of conversion technologies as an alternative to land filling and provide state funding to local jurisdictions for such projects; and provide that all energy produced by such projects be designated as renewable energy.

285. SUPPORT new or additional funding for expanded recycling and organics processing infrastructure.

286. SUPPORT funding for CalRecycle to assist in the implementation of laws focused on diverting organic and recyclable waste from landfill.

287. SUPPORT state investment in expanded clean composting, anaerobic digestion and recyclable materials manufacturing.

288. SUPPORT legislation to enable additional food rescue and recovery of edible food, including expansion of Good Samaritan laws, and support legislation that establishes funding for food recovery programs and develops policies for safe but consistent food date labeling.

289. SUPPORT legislation that provides for less burdensome recovery of Household Hazardous Waste.

WORKFORCE DEVELOPMENT

290. SUPPORT increasing the flexibility of Workforce Development Board to partner with community agencies and other county bureaus to increase supportive services and respond to local workforce needs.

291. SUPPORT establishing a higher minimum wage.

292. SUPPORT paid and job-protected leave policies.

293. SUPPORT paid apprenticeship programs.

294. SUPPORT increased teacher training and education, including funding to support employees to obtain a teaching credential or childcare permit.

295. SUPPORT policies and programs that increase economic opportunity for women and improve gender equity.

296. SUPPORT actions that promote training, capacity building and deeper understanding for students, educators and county staff on trauma informed care, interpersonal violence, adverse childhood experiences, and healthy workplaces and schools.

297. SUPPORT expansion of education and educational materials in multiple languages related to labor rights, wage theft, proper compensation, and other work-related issues for all workers.

298. SUPPORT training for workers in all fields covered by County employees.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 26-528 **Agenda Date:** 2/10/2026 **Agenda #:** C.17.

To: Board of Supervisors

From: Monica Nino, County Administrator

Report Title: Contra Costa County Post-Employment Health Care Plan Investment Policies

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

APPROVE amendments to the Contra Costa County Post-Employment Health Care Plan Investment Policies and Guidelines, as recommended by the Post Retirement Health Benefits Trust Agreement Advisory Body (No fiscal impact).

FISCAL IMPACT:

No direct fiscal impact.

BACKGROUND:

On December 14, 2010 the Board of Supervisors adopted Resolution No. 2010/579 authorizing the transfer of assets from the County's Post Retirement Health Benefits Trust to the Public Agencies Retirement Services (PARS) Public Agencies Post-Retirement Health Care Plan Trust. In summary, the action authorized adoption of the PARS Trust, authorized the transfer of plan assets held in the County's Post Retirement Health Benefits Trust, directed that future contributions be made to the PARS Trust, and authorized the Plan Administrator (County Treasurer-Tax Collector) to take whatever actions are required to administer the County's PARS plan (s). On February 8, 2011, subsequent Board of Supervisors action fulfilled the final requirement to formally establish an investment policy and guidelines for the investment of the County's other post-employment benefit (OPEB) assets.

As a best practice, the Post-Retirement Health Benefits Trust Agreement Advisory Body periodically reviews and updates the Investment Policies and Guidelines Document, as done in 2011, 2013, 2015, and 2019. For each cycle, considerations are made as to whether: any cleanup language is necessary to clarify meaning and application of the policies and guidelines; new legislation and regulations governing the investment practice of the Plan’s funds have been passed since the last review; asset categories and/or allocations affecting the management and performance of the investment portfolio have been introduced or removed; and there are new circumstances or direction to further guide and/or restrict the investing of funds.

The primary reason now for revising the investment policy statement was the corporate transition of HighMark Capital Management (HighMark). HighMark has served as the investment advisor to the County’s OPEB Plan

since the plan's inception in 2011. In 2022, Union Bank, the parent company of HighMark, was acquired by US Bank NA. On January 1, 2024, HighMark was merged into PFM Asset Management (PFMAM), a subsidiary of Union Bank. With the consolidation of these investment advisory firms, it was necessary to update documentation related to the investment policy statement. As part of the process, the Post Retirement Health Benefits Trust Advisory Body did a full review and revised the investment policy statement as listed below for the Board of Supervisors to consider approval:

1. Page 2: Updated the assumed earnings rate from 6.25% to 6.5%
2. Page 2: Updated the Plan asset level
3. Page 2: Removed the Alternatives asset class investment range
4. Page 2: Removed reference to back-up portfolio manager at PFMAM
5. Page 2: Removed reference to Highmark Capital supervisor
6. Page 2: Updated PFMAM contact information
7. Page 5: Added a requirement to review every three years the appropriateness of policy to achieve the Plan's stated objectives
8. Page 7: Modified the requirement for reconciliation between custodian and Advisor to be conducted quarterly
9. Page 7: Amended asset categories. Removed alternatives and defined real assets to include REITs and global infrastructure.
10. Page 8: Updated the Plan total fund benchmark
11. Page 8: Updated target benchmark for domestic equity to Russell 3000 Index
12. Page 8: Updated target benchmark for REITs, high-yield fixed income and global infrastructure
13. Page 9: Updated the minimum and maximum investment ranges for the Plan asset mix
14. Page 10: Clarified the ability to purchase agency commercial backed securities municipal fixed income
15. Page 11: Added fixed income parameters related to quality (average effective quality (A-) and duration targeting (+/- 25% of Bloomberg US Aggregate Index)

CONSEQUENCE OF NEGATIVE ACTION:

Failure to approve the adjustment to the investment strategic ranges will have a negative impact on the management and performance of the Plan's investment portfolio.

COUNTY OF CONTRA COSTA POST-EMPLOYMENT HEALTH CARE PLAN

INVESTMENT POLICIES AND GUIDELINES DOCUMENT

Adopted February 2011
Revised June 2011
Revised June 2013
Revised September 2015
Revised May 2019
Revised February 2026

Contra Costa County Post-Retirement Health Care Plan
Investment Policies and Guidelines Document

In response to the Government Accounting Standards Board (GASB) Statement Number 45 disclosure requirements for Other Post-Employment Benefit (OPEB) Plans, Contra Costa County has adopted a Section 115 Trust Plan that seeks to satisfy these liabilities for certain eligible employees.

Executive Summary

Plan Sponsor:	Contra Costa County (County)
Advisory Body:	Post Retirement Health Benefits Trust Agreement Advisory Body
Plan Administrator:	Contra Costa County Treasurer-Tax Collector
Trust Administrator:	Public Agency Retirement Services (PARS)
Trustee:	U.S. Bank, N.A.
Investment Advisor:	U.S. Bank, N.A., as Trustee has hired PFM Asset Management (Portfolio Manager) via a sub-advisory agreement to serve as the Investment Advisor.
Investment Authority:	Full Investment Authority
Account Number:	6746038001
Current Assets:	$ 541 Million June 2025
Annual Contributions:	Evaluated annually
Risk Tolerance:	Balanced Objective
Time Horizon:	Long-Term
Assumed Earnings Rate:	6.~~2~~5%

Investment Objective: The primary objective is to maximize total Plan return, subject to the risk and quality constraints set forth below. The Plan's targeted rate of return is 6.~~2~~5%.The asset allocation ranges for the Plan are listed below:

Strategic Ranges:	Cash: 0 - 5% Fixed Income: 30-50% Equity: 45-65%
Communication Schedule:	See Portfolio Reporting Requirements **Committee meetings quarterly**
Income Needs/Cash Flow Required:	To be determined annually by the Plan Administrator.
Unique Needs and Circumstances:	None Known
PFMAM Portfolio Manager:	Andrew Brown, CFA 415-796-5057 Andrew.Brown1@PFMAM.com
U.S Bank Administrative Officer:	Sue Hughes 949-224-7209 Susan.Hughes@usbank.com

Portfolio Constraints

Income Needs/Cash Flow Required: **The County has historically not sought disbursements from the Trust.**

Client (Signature): _____Date: _____

PFMAM Portfolio Manager: _____Date: _____

U.S. Bank Administrative Officer: _____Date: _____

I. INTRODUCTION

The Board of Supervisors (the "Board") of the County of Contra Costa has established the following Investment Policies and Guidelines Document (the "Document") for the investment of the trust fund (the "Trust") of the Contra Costa County Post-Retirement Health Benefits Plan (the "Plan"). The Board reserves the right at any time and from time to time to amend, supplement or rescind this document.

II. OVERVIEW

The purpose of this Document is to assist the Board and the Portfolio Manager in effectively supervising, monitoring and evaluating the investment of the Plan's portfolio. The investment program is defined in the various sections of the Document by:

A. Stating the Board's attitudes, expectations, objectives and guidelines for the investment of all assets.

B. Setting forth an investment structure for managing the Plan's portfolio. This structure includes various asset classes, investment management styles, asset allocation and acceptable ranges that, in total are expected to produce an appropriate level of overall diversification and anticipated total investment return over the investment time horizon.

C. Encouraging effective communications between the Board and the Portfolio Manager.

D. Complying with all applicable fiduciary, prudence and due diligence requirements experienced investment professionals would utilize, and with all applicable laws, rules and regulations of various local, state and federal entities that may impact the Plan's assets.

III. AUTHORITY

The investment of the assets for the Trust shall be in accord with applicable law, including but not limited to the following:

A. Investments shall be solely in the interest of, and for the exclusive purposes of providing benefits to the participants in the Plan and their beneficiaries, minimizing the contributions of employers thereto, and defraying the reasonable expenses of administering the Trust (Cal. Gov. Code Sec. 31595 (a)).

B. Investments shall be made with the care, skill, prudence and diligence under the circumstances then prevailing that a prudent person acting in a like capacity and familiar with these matters would use in the conduct of an enterprise of a like character and with like aims (Cal. Gov. Code Sec. 31595 (b)).

C. Investments shall be diversified so as to minimize the risk of loss and to maximize the rate of return unless under the circumstances it is clearly prudent not to do so (Cal. Gov. Code Sec. 31585 (c)).

D. In considering potential investment managers, it is the policy of the Board not to exclude managers from consideration based on ethnic background or gender, and not to arbitrarily exclude an emerging firm if, in the opinion of the Board, that firm has equal or superior capabilities to other candidates.

E. It shall be the policy of the Board that an Economically Targeted Investment (ETI) can be considered if and only if it has return and risk circumstances attractive in comparison to other alternatives.

IV. COUNTY PLAN ADMINISTRATOR'S RESPONSIBILITIES

A. On behalf of the Board, execute all legal and administrative documents pertaining to a trust fund, and take whatever actions are necessary to maintain the County's participation in the trust fund, including compliance with any relevant regulation issued or as may be issued.

B. Oversee the investment portfolio and monitor performance by means of regular reviews to assure objectives are met and the policy and guidelines are being followed.

C. Provide the investment manager with all relevant information on the Plan, and shall notify him/her promptly of any changes to this information.

D. Advise the investment manager of any change in the Plan's circumstances, such as a change in actuarial assumptions, which could possibly necessitate a change to the overall risk tolerance, time horizon or liquidity requirements; and thus would dictate a change to the overall investment objective and goals of the portfolio.

~~D.~~E. The County will coordinate with the Advisor to review every three~~two~~ years the appropriateness of this Policy for achieving the Plan's stated objectives. This review shall encompass a review of both the Investment Policy Statement and also shall include an asset allocation study.

V. PORTFOLIO MANAGERS' RESPONSIBILITIES, POLICIES AND GUIDELINES

All portfolio managers hired by the County will be registered investment advisors with the Securities and Exchange Commission, or will be trust companies that are regulated by State and Federal Banking authorities. Such portfolio managers will maintain proper and adequate insurance coverage including errors & omissions, surety bond and fiduciary liability. In addition, portfolio managers agree to notify the Board and Plan Administrator in writing if they are unable to continue acting in the capacity of a fiduciary or investment advisor.

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The portfolio manager shall be responsible for:

1. Designing, recommending and implementing an appropriate asset allocation consistent with the investment objectives, time horizon, risk profile, guidelines and constraints outlined in this statement.
2. Advising the Plan Administrator about the selection of and the allocation of asset categories every ~~two~~ three years or as needed.
3. Identifying specific assets and investment managers within each asset category.
4. Monitoring the performance of all selected assets.
5. Recommending changes to any of the above.
6. Periodically reviewing the suitability of the investments, being available to meet with the Board and Plan Administrator at least once each year, and being available at such other times within reason at the Board's request.
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2. Under any and all capital market environments, the investment manager agrees to maintain the investment approach that it ~~is~~ was hired to implement. Significant changes to the manager's investment decision-making process are to be immediately reported in writing to the Board and Plan Administrator. It is the responsibility of the investment manager to fully educate the Board and Plan Administrator as to the specifics of its investment process and internal research that may lead to changes in the firm's investment approach.

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4. The manager will otherwise treat the Plan's portfolio in a manner similar to other comparable portfolios in portfolio construction trading and in all other aspects.

5. Managers shall have full discretionary power to direct the investment, exchange, liquidation and reinvest the assets of the Plan, but must meet the provisions of the Board's investment objectives and policies. The Board expects the manager to recommend changes to this document at any time when the manager views any part of it to be at variance with overall market and economic conditions.

6. Unless otherwise specified, portfolios are to be fully invested in allowable investment securities. Under no circumstance shall an investment manager attempt to "market time" investments in its portfolio(s).

VI. PORTFOLIO REPORTING REQUIREMENTS

Quarterly Reports:

1. The investment objectives of the portfolio will be clearly stated. Next a narrative description of the portfolio's investment strategy will be provided with a discussion of the factors that proved to be favorable and those that were unfavorable. In addition, a concise statement of the firm's investment decision-making process will be provided and any changes or modifications that were made to the process.

2. Portfolio performance before and after investment management fees:

   The manager shall report the quarterly total portfolio rate of return before and after investment management fees have been deducted, as well as cumulative and annual performance on both bases since account inception. Also included in these tables will be the manager's performance benchmarks and ranking with median return of peers.

3. Portfolio asset mix and asset growth:

   The portfolio's allocation to the major asset classes will be specified for the beginning and end of the quarter. Market values will be shown for the total account over the same period.

4. Portfolio allocations according to characteristics and other classifications:

   Specific portfolio characteristics will be developed and contrasted to those of the portfolio's performance benchmark.

5. Portfolio reconciliation to the custodial bank:

   As of quarter-end, the investment manager will reconcile their portfolio market value to that provided by the custodial bank. The custodial trustee accounts for investments on a trade date, full accrual basis. Explanation of any discrepancies shall be provided to the County.

Monthly Reports:

Portfolio summary report and detailed positions and transactions:

A summary report consisting of a statement of changes in market value from the preceding month, a summarized portfolio composition using market values and portfolio performance for the latest month, and a portfolio reconciliation to the custodial market value of the account. The report should also include individual issues in the portfolio as of the most recent month-end along with a list of portfolio purchases and sales.

VII. ASSET CATEGORIES

For purposes of setting objectives and guidelines for the investment of the assets of the Plan, the assets shall be divided into four segments described as: Global Equity, Global Fixed Income, Listed Real Assets, and the Incidental Cash position. The Domestic and International Equity allocations are considered part of the Global Equity segment. The Domestic Fixed Income allocation and the High Yield Fixed Income allocation are considered part of the Global Fixed Income portion of the Plan. Listed Real Assets will encompass both domestic real estate (REIT) investments and the global infrastructure segment.

Global Equity Portion shall consist of investments in common stock and other securities which are convertible into common stock. The Global Equity portion may be further divided into domestic, developed international, emerging market international, and global; large, mid and small capitalization; growth, value, and core.

Global Fixed Income Portion shall consist of investments in fixed income securities including High-Yield bonds as well as securities including cash equivalents.

Listed Real Assets Portion shall consist of investments in real estate through the use of publicly traded real estate investment trusts (REITs) and through the use of commingled funds that invest in publicly traded REITs. Global Infrastructure is also classified as a listed real asset and shall consist of investments in mutual funds or ETFs that invest in global companies that own and operate the infrastructure assets and services essential for economic growth and development.

Incidental Cash Portion shall include short-term monies invested in a money market fund.

VIII. INVESTMENT OBJECTIVES

The general investment objective of the Plan is to maximize total return, subject to the risk and quality constraints described in the Investment guidelines. The relative return objective is a total

return on a market value basis which exceeds that of a custom index composed of appropriate asset class indexes weighted proportionally by corresponding asset class targets. The rate of return objective shall be the actuarial interest assumption, as determined from year to year.

A. Total Fund Benchmarks

The primary objective is to maximize total Plan return, subject to the risk and quality constraints set forth. The Plan's targeted rate of return is 6.25%. The relative return objective is a total return on a market value basis which exceeds that of a custom index composed of appropriate asset class indexes weighted proportionally by corresponding asset class targets. The custom benchmark composition would include 3734% Russell 3000 Index, 18.516% MSCI-ACWI Ex-US Index, 3.25% MSCI World Core Infrastructure Index, 3.25% MSCI-US REIT Index, 4134.5% Bloomberg US Aggregate Bond Index, 2.5% ICE BofA High Yield Index, 1% 90-Day T-Bill Index.

B. Domestic Equity

1. For the Domestic equity portion of the Plan, a rate of return in excess of the Russell 3000 Index.
2. For the Domestic Large Capitalization portion of the Plan, a rate of return in excess of the Russell 1000 Index, and a return in the upper half of the corresponding large capitalization style universe (Lipper, Morningstar or similar).
3. For the Domestic Small Capitalization portion of the Plan, a rate of return in excess of the Russell 2000 Index, and a return in the upper half of the corresponding small capitalization style universe (Lipper, Morningstar, or similar).
4. For the Domestic Mid-cap portion of the Plan, a rate of return in excess of the Russell Mid-Cap Index, and a return in the upper half of the corresponding mid-capitalization style universe (Lipper, Morningstar, or similar)

C. International Equity

1. The objective for the international equity portion of the Plan is a return in excess of the MSCI-ACWI Ex-US Index, and a return in the upper half of the corresponding International Equity style universe (Lipper, Morningstar or similar).
2. For the emerging market international equity portion of the Plan, a rate of return in excess of the MSCI-Emerging Market Index, and a return in the upper half of the corresponding international emerging market equity style universe (Lipper, Morningstar, or similar)

D. Fixed Income

1. The objective for the fixed income portion of the Plan is a return in excess of the Bloomberg US Aggregate Index, and a return in the upper half of the corresponding intermediate-term fixed income style universe (Lipper, Morningstar or similar).
2. The objective for the high-yield portion of the Plan is a return in excess of the ICE BofA High Yield Index, and a return in the upper half of the corresponding High Yield style universe (Lipper, Morningstar or similar).

E. Listed Real Assets

1. The objective for the real estate portion of the Plan is a return in excess of the MSCI-US REIT Index, and a return in the upper half of the corresponding Universe of REIT funds (Lipper, Morningstar or similar).
2. The objective for the global infrastructure portion of the Plan is a return in excess of the MSCI World Core Infrastructure Index and a return in the upper half of the corresponding global infrastructure style universe (Lipper, Morningstar or similar).

~~F.~~ Incidental Cash

The objective of the cash portion is to achieve a return in excess of the 90-Day T-Bill Index.

IX. ASSET ALLOCATION

Targets

The asset allocation targets and their associated ranges, which are a function of the returns and risks from various asset classes and the nature of the Plan's liabilities, are set forth below in Table 1. The Board will review its asset allocation position as needed or a minimum of once every three to five years. The Board may make tactical adjustments to the targets and ranges, and may change the targets and ranges as appropriate.

The Investment manager is responsible for maintaining the balance between fixed income and equity securities based on the asset allocation. The parameters shown in Table 1 shall be adhered to in managing the portfolio:

Table 1

		Allocation Ranges	
	Target Mix	Minimum	Maximum
Total Domestic Equity			
Large Cap	19%	13%	32%
Mid Cap	6%	2%	10%
Small Cap	9%	4%	12%
Global Equity	8%	4%	12%
International Equity (Developed)	10%	4%	16%
International Equity (Emerging)	0%	0%	4%
Fixed Income	43%	30%	50%
High Yield	0%	0%	4%
Real Estate	4%	0%	8%
Cash (Money Market)	1%	0%	5%
Alternatives	0%	0%	10%

	Target Mix	Allocation Ranges Minimum	Maximum
Total Domestic Equity	37.0%	24%	45%
Large Cap	27.75%	18%	41%
Mid Cap	7.25%	3%	11%
Small Cap	2.0%	1%	6%
International Equity (Developed)	13.75%	8%	31%
International Equity (Emerging)	4.75%	2%	9%
Real Estate	3.25%	1%	8%
Global Infrastructure	3.25%	1%	8%
Total Fixed Income	37.0%	30%	50%
Domestic Fixed Income	34.5%	24%	50%
High Yield	2.5%	0%	6%
Cash (Money Market)	1%	0%	5%

Rebalancing

1. From time to time, market conditions may cause the asset allocation to vary from the established target. To remain consistent with the asset allocation guidelines established by this document, the investment manager will at a minimum rebalance the portfolio on a quarterly basis.
2. The Board and Plan Administrator have the authority to issue instructions to the investment manager to liquidate securities for reallocation to other managers.
3. On an annual basis, the Board and Plan Administrator shall develop a cash flow plan for the subsequent year. This plan will take into consideration expected cash needs both for the payment of benefits as well as to fund under-allocated or new asset classes.

X. INVESTMENT GUIDELINES

The following guidelines apply to all Investment managers. Any further constraints, limitations or authorities to an individual manager, which are specific to that manager and have been agreed to by the manager and the Plan Administrator also apply.

Global Equity

1. The maximum percentage of the Plan which may be invested in the securities of a single corporation shall be 10% of the value of the Plan.
2. The Plan shall not hold more than 5% of the equity securities of an issuer.

Global Fixed Income

The Fixed Income account securities will be restricted to the following:

1. Obligations of the U.S. Treasury
2. Obligations guaranteed by an agency of the United States, including agency Mortgage-Backed Securities and agency commercial mortgage-backed securities.
3. Government, agency, quasi-government and supranational bonds.
4. Certificates of deposit and banker's acceptance of credit-worthy banks.
5. Individual Corporate bond investments shall be "Investment Grade" with a minimum effective credit quality rating of BBB- at the time of purchase.
6. Eligible instruments issued pursuant to SEC Rule 144(a) or Regulation S.
7. Commercial paper (including variable rate notes) of issuers rated at least P-1 by Moody's Investor Services or A-1 by Standard & Poor's.
8. Lower risk planned amortization class (PAC) collateralized mortgage obligations ("CMO") and Sequential CMOs. CMOs other than PACs and Sequentials are limited to a maximum of 10% of the fixed income portfolio at cost.
9. Portfolio holdings in CMOs greater than 15 years or less than negative 15 years in duration (based on a 100 basis point move in rates) are limited to no more than a total of 2% of the fixed income portfolio at cost.
10. High yield securities may be held, but they will be held using a high-yield mutual fund
11. Investment-grade bonds backed by the interest and principal payments on loans for certain types of assets, such as automobiles, credit cards or student loans, known as asset-backed securities.
12. Municipal bonds

Quality

The fixed income individual securities portfolio will maintain a minimum weighted average effective quality of A- at all times. At the time of purchase, individual securities shall have a minimum effective quality rating of BBB-.

For purposes of determining an effective rating, when three agencies rate a security (S&P, Moodys, Fitch) the middle rating will be used. When only two of the three agencies rate a security the lower of the two ratings will be used. When only one agency rates a security that rating will be used.

Duration

The manager will maintain the portfolio duration within +/- 25% of the Bloomberg US Aggregate Bond Index duration at all times for the individual fixed income securities portfolio.

Real Estate

Investments in Real Estate will be made through individual REIT securities as well as commingled funds that invest in REITs. Separately held real estate investments are prohibited.

Incidental Cash

The incidental cash portion of the Plan shall be invested in readily marketable and diversified assets as are enumerated in the Fixed Income Portion Guidelines. Additionally, money market funds and repurchase agreements are acceptable cash oriented investments.

XI. PROHIBITED ASSETS

The Plan wishes to avoid investments in the following investment categories:

- Precious metals
- Private Equity
- Venture Capital
- Short sales
- Purchases of Letter Stock, Private Placements, or direct payments
- Leveraged Transactions
- Commodities Transactions Puts, calls, straddles, or other option strategies,
- Purchases of real estate, with the exception of REIT mutual funds or REIT ETFs
- Derivatives, with exception of ETFs
- Contra Costa County Issued Bonds
- Non-agency (or Private Label) Mortgage-Back Securities

The investment manager will not make direct investments in any of the prohibited assets listed above. However, external third-party managers hired by the investment manager may invest in some of the assets listed above in order to achieve their stated investment objectives. For example, managers pursuing market-neutral, absolute return or other alternative strategies may combine long positions with short positions in order to produce a return stream that is less volatile than the volatility a long-only strategy could achieve.

XII. FUND SELECTION PROCESS

Funds selected as investments in the Plan will be expected to have undergone a rigorous screening process that searches for managers and styles that will produce above average returns within acceptable risk parameters. The evaluation process will consider the following factors:

- Performance track record
- Fund assets
- Manager tenure with fund
- Expense ratios
- Market capitalization
- Style consistency
- Number of holdings
- Assets in top 10
- Portfolio turnover
- Sector weighting allocations
- Standard deviation
- Sharpe ratio

Performance evaluation of the Funds will take into consideration both performance relative to a benchmark index as well as performance relative to a universe of the fund's peers. Evaluation metrics versus a representative benchmark will utilize a twelve-month rolling performance record compared to a representative benchmark over a three, five, seven and ten-year period (if/when available).

A fund is expected to rank above the median in its appropriate peer group for the three, five and ten-year periods (if/when available).

An additional requirement for all funds utilized in the Plan is that the fund families that sponsor the funds will have filled out and returned a request for proposal (RFP) submitted to them by the investment manager. This RFP will highlight significant areas such as organizational factors,

composition of assets, portfolio characteristics, investment process, fee structure, internal compliance controls, and an overview of the investment personnel.

Investment mutual funds may be removed from the investment portfolio from time to time. Factors that the investment manager will consider in regards to removing a fund include, but ~~is~~are not limited to:

- Performance that is inconsistent with the manager's style or our expectations
- Performance that conflicts with peers and style universes
- Annualized return trails the benchmark or median return on a 3-year basis for more than three consecutive quarters
- Security selection not in agreement with the manager's investment philosophy/process
- Purchases that lead to abnormal portfolio concentrations
- Sector and industry exposures that are inconsistent with the manager's guidelines
- Unusual tracking error to the benchmarks
- Inadequate transparency between the manager's comments and portfolio holdings
- Inconsistencies related to the manager's remarks on style, sector, and market cap weightings
- Instability at the manager's investment management firm
- Modifications to the investment process and/or risk controls that interfere with a firm's strategy
- Staffing adjustments that may result in poor performance
- The fund selection process described above is not required for any passive investments, including index-based mutual funds or exchange-trade funds (ETFs).

COUNTY OF CONTRA COSTA POST-EMPLOYMENT HEALTH CARE PLAN

INVESTMENT POLICIES AND GUIDELINES DOCUMENT

Adopted February 2011
Revised June 2011
Revised June 2013
Revised September 2015
Revised May 2019
Revised February 2026

Contra Costa County Post-Retirement Health Care Plan Investment Policies and Guidelines Document

In response to the Government Accounting Standards Board (GASB) Statement Number 45 disclosure requirements for Other Post-Employment Benefit (OPEB) Plans, Contra Costa County has adopted a Section 115 Trust Plan that seeks to satisfy these liabilities for certain eligible employees.

Executive Summary

Plan Sponsor:	Contra Costa County (County)
Advisory Body:	Post Retirement Health Benefits Trust Agreement Advisory Body
Plan Administrator:	Contra Costa County Treasurer-Tax Collector
Trust Administrator:	Public Agency Retirement Services (PARS)
Trustee:	U.S. Bank, N.A.
Investment Advisor:	U.S. Bank, N.A., as Trustee has hired PFM Asset Management (Portfolio Manager) via a sub-advisory agreement to serve as the Investment Advisor.
Investment Authority:	Full Investment Authority
Account Number:	6746038001
Current Assets:	$ 581 Million as of December 31, 2025
Annual Contributions:	Evaluated annually
Risk Tolerance:	Balanced Objective
Time Horizon:	Long-Term
Assumed Earnings Rate:	6.5%

Investment Objective: The primary objective is to maximize total Plan return, subject to the risk and quality constraints set forth below. The Plan's targeted rate of return is 6.5%.The asset allocation ranges for the Plan are listed below:

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Quarterly Reports:

1. The investment objectives of the portfolio will be clearly stated. Next a narrative description of the portfolio's investment strategy will be provided with a discussion of the factors that proved to be favorable and those that were unfavorable. In addition, a concise statement of the firm's investment decision-making process will be provided and any changes or modifications that were made to the process.

2. Portfolio performance before and after investment management fees:

   The manager shall report the quarterly total portfolio rate of return before and after investment management fees have been deducted, as well as cumulative and annual performance on both bases since account inception. Also included in these tables will be the manager's performance benchmarks and ranking with median return of peers.

3. Portfolio asset mix and asset growth:

   The portfolio's allocation to the major asset classes will be specified for the beginning and end of the quarter. Market values will be shown for the total account over the same period.

4. Portfolio allocations according to characteristics and other classifications:

   Specific portfolio characteristics will be developed and contrasted to those of the portfolio's performance benchmark.

5. Portfolio reconciliation to the custodial bank:

   As of quarter-end, the investment manager will reconcile their portfolio market value to that provided by the custodial bank. The custodial trustee accounts for investments on a trade date, full accrual basis. Explanation of any discrepancies shall be provided to the County.

Monthly Reports:

Portfolio summary report and detailed positions and transactions:

A summary report consisting of a statement of changes in market value from the preceding month, a summarized portfolio composition using market values and portfolio performance for the latest month, and a portfolio reconciliation to the custodial market value of the account. The report should also include individual issues in the portfolio as of the most recent month-end along with a list of portfolio purchases and sales.

VII. ASSET CATEGORIES

For purposes of setting objectives and guidelines for the investment of the assets of the Plan, the assets shall be divided into four segments described as: Global Equity, Global Fixed Income, Listed Real Assets, and the Incidental Cash position. The Domestic and International Equity allocations are considered part of the Global Equity segment. The Domestic Fixed Income allocation and the High Yield Fixed Income allocation are considered part of the Global Fixed Income portion of the Plan. Listed Real Assets will encompass both domestic real estate (REIT) investments and the global infrastructure segment.

Global Equity Portion shall consist of investments in common stock and other securities which are convertible into common stock. The Global Equity portion may be further divided into domestic, developed international, emerging market international, and global; large, mid and small capitalization; growth, value, and core.

Global Fixed Income Portion shall consist of investments in fixed income securities including High-Yield bonds as well as securities including cash equivalents.

Listed Real Assets Portion shall consist of investments in real estate through the use of publicly traded real estate investment trusts (REITs) and through the use of commingled funds that invest in publicly traded REITs. Global Infrastructure is also classified as a listed real asset and shall consist of investments in mutual funds or ETFs that invest in global companies that own and operate the infrastructure assets and services essential for economic growth and development.

Incidental Cash Portion shall include short-term monies invested in a money market fund.

VIII. INVESTMENT OBJECTIVES

The general investment objective of the Plan is to maximize total return, subject to the risk and quality constraints described in the Investment guidelines. The relative return objective is a total return on a market value basis which exceeds that of a custom index composed of appropriate asset class indexes weighted proportionally by corresponding asset class targets. The rate of return objective shall be the actuarial interest assumption, as determined from year to year.

A. Total Fund Benchmarks

The primary objective is to maximize total Plan return, subject to the risk and quality constraints set forth. The Plan's targeted rate of return is 6.5%. The relative return objective is a total return on a market value basis which exceeds that of a custom index composed of appropriate asset class indexes weighted proportionally by corresponding asset class targets. The custom benchmark composition would include 37% Russell 3000 Index, 18.5% MSCI-ACWI Ex-US Index, 3.25% MSCI World Core Infrastructure Index, 3.25% MSCI-US REIT Index, 34.5% Bloomberg US Aggregate Bond Index, 2.5% ICE BofA High Yield Index, 1% 90-Day T-Bill Index.

B. Domestic Equity

1. For the Domestic equity portion of the Plan, a rate of return in excess of the Russell 3000 Index.
2. For the Domestic Large Capitalization portion of the Plan, a rate of return in excess of the Russell 1000 Index, and a return in the upper half of the corresponding large capitalization style universe (Lipper, Morningstar or similar).
3. For the Domestic Small Capitalization portion of the Plan, a rate of return in excess of the Russell 2000 Index, and a return in the upper half of the corresponding small capitalization style universe (Lipper, Morningstar, or similar).
4. For the Domestic Mid-cap portion of the Plan, a rate of return in excess of the Russell Mid-Cap Index, and a return in the upper half of the corresponding mid-capitalization style universe (Lipper, Morningstar, or similar)

C. International Equity

1. The objective for the international equity portion of the Plan is a return in excess of the MSCI-ACWI Ex-US Index, and a return in the upper half of the corresponding International Equity style universe (Lipper, Morningstar or similar).
2. For the emerging market international equity portion of the Plan, a rate of return in excess of the MSCI-Emerging Market Index, and a return in the upper half of the corresponding international emerging market equity style universe (Lipper, Morningstar, or similar)

D. Fixed Income

1. The objective for the fixed income portion of the Plan is a return in excess of the Bloomberg US Aggregate Index, and a return in the upper half of the corresponding intermediate-term fixed income style universe (Lipper, Morningstar or similar).
2. The objective for the high-yield portion of the Plan is a return in excess of the ICE BofA High Yield Index, and a return in the upper half of the corresponding High Yield style universe (Lipper, Morningstar or similar).

E. Listed Real Assets

1. The objective for the real estate portion of the Plan is a return in excess of the MSCI-US REIT Index, and a return in the upper half of the corresponding Universe of REIT funds (Lipper, Morningstar or similar).

2. The objective for the global infrastructure portion of the Plan is a return in excess of the MSCI World Core Infrastructure Index and a return in the upper half of the corresponding global infrastructure style universe (Lipper, Morningstar or similar).

F. Incidental CashThe objective of the cash portion is to achieve a return in excess of the 90-Day T-Bill Index.

IX. ASSET ALLOCATION

Targets

The asset allocation targets and their associated ranges, which are a function of the returns and risks from various asset classes and the nature of the Plan's liabilities, are set forth below in Table 1. The Board will review its asset allocation position as needed or a minimum of once every three to five years. The Board may make tactical adjustments to the targets and ranges, and may change the targets and ranges as appropriate.

The Investment manager is responsible for maintaining the balance between fixed income and equity securities based on the asset allocation. The parameters shown in Table 1 shall be adhered to in managing the portfolio:

Table 1

		Allocation Ranges	
	Target Mix	**Minimum**	**Maximum**
Total Domestic Equity	37.0%	24%	45%
Large Cap	27.75%	18%	41%
Mid Cap	7.25%	3%	11%
Small Cap	2.0%	1%	6%
International Equity (Developed)	13.75%	8%	31%
International Equity (Emerging)	4.75%	2%	9%
Real Estate	3.25%	1%	8%
Global Infrastructure	3.25%	1%	8%
Total Fixed Income	37.0%	30%	50%
Domestic Fixed Income	34.5%	24%	50%
High Yield	2.5%	0%	6%
Cash (Money Market)	1%	0%	5%

Rebalancing

1. From time to time, market conditions may cause the asset allocation to vary from the established target. To remain consistent with the asset allocation guidelines established by this document, the investment manager will at a minimum rebalance the portfolio on a quarterly basis.
2. The Board and Plan Administrator have the authority to issue instructions to the investment manager to liquidate securities for reallocation to other managers.
3. On an annual basis, the Board and Plan Administrator shall develop a cash flow plan for the subsequent year. This plan will take into consideration expected cash needs both for the payment of benefits as well as to fund under-allocated or new asset classes.

X. INVESTMENT GUIDELINES

The following guidelines apply to all Investment managers. Any further constraints, limitations or authorities to an individual manager, which are specific to that manager and have been agreed to by the manager and the Plan Administrator also apply.

Global Equity

1. The maximum percentage of the Plan which may be invested in the securities of a single corporation shall be 10% of the value of the Plan.
2. The Plan shall not hold more than 5% of the equity securities of an issuer.

Global Fixed Income

The Fixed Income account securities will be restricted to the following:

1. Obligations of the U.S. Treasury
2. Obligations guaranteed by an agency of the United States, including agency Mortgage-Backed Securities and agency commercial mortgage-backed securities.
3. Government, agency, quasi-government and supranational bonds.
4. Certificates of deposit and banker's acceptance of credit-worthy banks.
5. Individual Corporate bond investments shall be "Investment Grade" with a minimum effective credit quality rating of BBB- at the time of purchase.
6. Eligible instruments issued pursuant to SEC Rule 144(a) or Regulation S.
7. Commercial paper (including variable rate notes) of issuers rated at least P-1 by Moody's Investor Services or A-1 by Standard & Poor's.
8. Lower risk planned amortization class (PAC) collateralized mortgage obligations ("CMO") and Sequential CMOs. CMOs other than PACs and Sequentials are limited to a maximum of 10% of the fixed income portfolio at cost.
9. Portfolio holdings in CMOs greater than 15 years or less than negative 15 years in duration (based on a 100 basis point move in rates) are limited to no more than a total of 2% of the fixed income portfolio at cost.
10. High yield securities may be held, but they will be held using a high-yield mutual fund
11. Investment-grade bonds backed by the interest and principal payments on loans for certain types of assets, such as automobiles, credit cards or student loans, known as asset-backed securities.
12. Municipal bonds

Quality

The fixed income individual securities portfolio will maintain a minimum weighted average effective quality of A- at all times. At the time of purchase, individual securities shall have a minimum effective quality rating of BBB-.

For purposes of determining an effective rating, when three agencies rate a security (S&P, Moodys, Fitch) the middle rating will be used. When only two of the three agencies rate a security the lower of the two ratings will be used. When only one agency rates a security that rating will be used.

Duration

The manager will maintain the portfolio duration within +/- 25% of the Bloomberg US Aggregate Bond Index duration at all times for the individual fixed income securities portfolio.

Real Estate

Investments in Real Estate will be made through individual REIT securities as well as commingled funds that invest in REITs. Separately held real estate investments are prohibited.

Incidental Cash

The incidental cash portion of the Plan shall be invested in readily marketable and diversified assets as are enumerated in the Fixed Income Portion Guidelines. Additionally, money market funds and repurchase agreements are acceptable cash oriented investments.

XI. PROHIBITED ASSETS

The Plan wishes to avoid investments in the following investment categories:

- Precious metals
- Private Equity
- Venture Capital
- Short sales
- Purchases of Letter Stock, Private Placements, or direct payments
- Leveraged Transactions
- Commodities Transactions Puts, calls, straddles, or other option strategies,
- Purchases of real estate, with the exception of REIT mutual funds or REIT ETFs
- Derivatives, with exception of ETFs
- Contra Costa County Issued Bonds
- Non-agency (or Private Label) Mortgage-Back Securities

The investment manager will not make direct investments in any of the prohibited assets listed above. However, external third-party managers hired by the investment manager may invest in some of the assets listed above in order to achieve their stated investment objectives. For example, managers pursuing market-neutral, absolute return or other alternative strategies may combine long positions with short positions in order to produce a return stream that is less volatile than the volatility a long-only strategy could achieve.

XII. FUND SELECTION PROCESS

Funds selected as investments in the Plan will be expected to have undergone a rigorous screening process that searches for managers and styles that will produce above average returns within acceptable risk parameters. The evaluation process will consider the following factors:

- Performance track record
- Fund assets
- Manager tenure with fund
- Expense ratios
- Market capitalization
- Style consistency
- Number of holdings
- Assets in top 10
- Portfolio turnover
- Sector weighting allocations
- Standard deviation
- Sharpe ratio

Performance evaluation of the Funds will take into consideration both performance relative to a benchmark index as well as performance relative to a universe of the fund's peers. Evaluation metrics versus a representative benchmark will utilize a twelve-month rolling performance record compared to a representative benchmark over a three, five, seven and ten-year period (if/when available).

A fund is expected to rank above the median in its appropriate peer group for the three, five and ten-year periods (if/when available).

An additional requirement for all funds utilized in the Plan is that the fund families that sponsor the funds will have filled out and returned a request for proposal (RFP) submitted to them by the investment manager. This RFP will highlight significant areas such as organizational factors, composition of assets, portfolio characteristics, investment process, fee structure, internal compliance controls, and an overview of the investment personnel.

Investment mutual funds may be removed from the investment portfolio from time to time. Factors that the investment manager will consider in regards to removing a fund include, but are not limited to:

- Performance that is inconsistent with the manager's style or our expectations
- Performance that conflicts with peers and style universes
- Annualized return trails the benchmark or median return on a 3-year basis for more than three consecutive quarters
- Security selection not in agreement with the manager's investment philosophy/process
- Purchases that lead to abnormal portfolio concentrations
- Sector and industry exposures that are inconsistent with the manager's guidelines
- Unusual tracking error to the benchmarks
- Inadequate transparency between the manager's comments and portfolio holdings
- Inconsistencies related to the manager's remarks on style, sector, and market cap weightings
- Instability at the manager's investment management firm
- Modifications to the investment process and/or risk controls that interfere with a firm's strategy
- Staffing adjustments that may result in poor performance
- The fund selection process described above is not required for any passive investments, including index-based mutual funds or exchange-trade funds (ETFs).

File #: RES 2026-35 **Agenda Date:** 2/10/2026 **Agenda #:** C.18.

To: **Board of Supervisors**

From: Monica Nino, County Administrator

Report Title: Brentwood Union School District - Issuance of General Obligation Bonds

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

ADOPT a resolution authorizing the issuance and sale of "Brentwood Union School District, General Obligation Bonds, Election of 2016, Series 2026" in an amount not to exceed $6,500,000 by the District on its own behalf pursuant to Sections 15140 and 15146 of the Education Code, as permitted by Section 53508.7(c) of the Government Code.

FISCAL IMPACT:

There is no fiscal impact to the County.

BACKGROUND:

The Brentwood Union School District intends to issue new General Obligation bonds to fund capital improvements throughout the District. The District has requested that the Board of Supervisors adopt a resolution authorizing the direct issuance and sale of the bonds by the District on its own behalf as authorized by Section 15140(b) of the Education Code.

On January 14, 2026, the District adopted a resolution authorizing the sale and issuance of new bonds in an amount not to $6,500,000, which was approved by the voters as part of a bond measure (Measure B) listed on the June 7, 2016 ballot.

Specific to the proposed issuance of the new bonds authorized on the June 7, 2016 ballot, the proposed uses according to the ballot language include the following: upgrade libraries and science labs, improve school safety and security, expand access to classroom technology for students and teachers, renovate and modernize older schools in the District, build a new elementary school and replace, acquire, construct and renovate school facilities.

Since the bond measure was passed by the voters in 2016, the District has issued four (4) separate bond issuances under the authority granted by Measure B:

- December 28, 2016, pursuant to Resolution No. 2016-21 of the Board of Education of the District

adopted on October 26, 2016, the District issued its "Brentwood Union School District, General Obligation Bonds, Election of 2016, Series 2016," in an aggregate principal amount of $25,000,000;

- October 9, 2019, pursuant to Resolution No. 2019-15 of the Board of Education of the District adopted on September 11, 2019, the District issued its "Brentwood Union School District, General Obligation Bonds, Election of 2016, Series 2019," in an aggregate principal amount of $20,000,000;

- October 20, 2022, pursuant to Resolution No. 2022-12 of the Board of Education of the District adopted on August 17, 2022, the District issued its "Brentwood Union School District, General Obligation Bonds, Election of 2016, Series 2022," in an aggregate principal amount of $50,000,000; and

- November 6, 2024, pursuant to Resolution No. 2024-26 of the Board of Education of the District, adopted on September 11, 2024, the District issued its "Brentwood Union School District, General Obligation Bonds, Election of 2016, Series 2024," in an aggregate principal amount of $9,000,000, was issued and sold, leaving $54,000,000 aggregate principal amount authorized but unissued under the Bond Measure.

The District will be required to return to the Board of Supervisors for subsequent approvals to issue the remaining $54,000,000 in bond capacity authorized under Measure B.

CONSEQUENCE OF NEGATIVE ACTION:

Without the Contra Costa County Board of Supervisors authorization, the School District would not be able to issue the bonds.

RESOLUTION NO. _____

BOARD OF SUPERVISORS, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA

*** * * * * ***

RESOLUTION AUTHORIZING THE BRENTWOOD UNION SCHOOL DISTRICT TO ISSUE ITS BRENTWOOD UNION SCHOOL DISTRICT (CONTRA COSTA COUNTY, CALIFORNIA), GENERAL OBLIGATION BONDS, ELECTION OF 2016, SERIES 2026, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED $6,500,000 WITHOUT FURTHER ACTION OF THE BOARD OF SUPERVISORS OR OFFICERS OF THE COUNTY

RESOLVED, by the Board of Supervisors of the County of Contra Costa, State of California, that:

WHEREAS, an election was duly and regularly held in the Brentwood Union School District (the "District") on June 7, 2016, in accordance with Section 1(b)(3) of Article XIIIA of the California Constitution, for the purpose of submitting a bond measure to the qualified electors of the District, authorizing the issuance of general obligation bonds in the aggregate principal amount of $158,000,000 (the "Bonds"), and at least 55% of the votes cast were in favor of the issuance of the Bonds; and

WHEREAS, Sections 53506 *et seq.* of the California Government Code, including Section 53508.7 thereof, provide that a school district may issue and sell bonds on its own behalf at a private sale pursuant to Section 15140 and 15146 of the California Education Code; and

WHEREAS, Section 15140(b) of the California Education Code provides that the board of supervisors of a county may authorize a school district over which the county superintendent of schools has jurisdiction, and which has not received a qualified or negative certification in its most recent interim report, to issue and sell bonds on its own behalf without further action of the board of supervisors or officers of the county; and

WHEREAS, the Board of Education of the District, a school district under the jurisdiction of the Superintendent of Schools of the County of Contra Costa, adopted on January 14, 2026, a resolution (the "District Resolution") providing for the issuance of its "Brentwood Union School District (Contra Costa County, California) General Obligation Bonds, Election of 2016, Series 2026," in an aggregate principal amount not to exceed $6,500,000, in one or more series to be designated by the District (the "Series 2026 Bonds") pursuant to Section 53506 *et seq.* of the California Government Code and additionally providing for the negotiated sale thereof pursuant to Sections 15140 and 15146 of the California Education Code; and

WHEREAS, by said District Resolution, the District has requested that this Board of Supervisors (the "Board") of the County of Contra Costa (the "County") authorize the District on its own behalf to issue and sell the Series 2026 Bonds at a negotiated sale, all pursuant to Sections 53506 *et seq.* of the California Government Code and Section 15140(b) of the California Education Code and subject to the terms set forth in the District Resolution, and has represented and warranted to the Board that it has not received a qualified or negative certification in its most recent interim report;

NOW THEREFORE, IT IS HEREBY DETERMINED AND ORDERED as follows:

Section 1. Recitals. All of the above recitals are true and correct.

Section 2. Authorization of District Issuance and Sale. The Board hereby authorizes the issuance and private negotiated sale of the Series 2026 Bonds by the District on its own behalf, pursuant to the terms set forth in the District Resolution and as authorized by and in full compliance with all applicable laws, including but not limited to Sections 15140 and 15146 of the California Education Code, as permitted by Section 53508.7 of the California Government Code, as determined by the District's bond counsel. This authorization shall only apply to the Series 2026 Bonds authorized to be issued by said District Resolution.

Section 3. Purpose. The purpose of this action is to permit the District to sell its Series 2026 Bonds in the manner that the District determines is in its best interests and the best interests of its taxpayers, as provided in the District Resolution.

Section 4. District Responsibilities. Pursuant to Section 15140(c) of the California Education Code, the Board of Education of the District shall transmit the District Resolution and a copy of the final debt service schedule for the Series 2026 Bonds, reflecting the principal amounts and interest rates of such Series 2026

Bonds as determined in the sale thereof, to the Treasurer-Tax Collector of the County (the "County Treasurer") and to the County Controller (the "County Controller"), forthwith after the sale of the Series 2026 Bonds, and in any event no later than the date reasonably requested by such officers, in order to permit the County to establish tax rates and necessary funds or accounts for the Series 2026 Bonds.

Section 5. County Responsibilities. (a) The County, including the officers thereof and this Board of Supervisors, assumes no responsibility for any of the proceedings following the adoption of this Resolution which involve or result in the sale and issuance of the Series 2026 Bonds, including but not limited to, any proceedings for the sale and issuance of the Series 2026 Bonds or the validity of the Series 2026 Bonds.

(b) The County levies and collects taxes, pays principal and interest on the Series 2026 Bonds when due, and holds the bond proceeds and tax funds for the Series 2026 Bonds that have been duly issued and sold by the District, as otherwise required by law.

(c) The County, including the officers and employees thereof and this Board of Supervisors, assumes no responsibility for establishing a tax rate for any new issue of bonds in any year in which the information required by Section 4 hereof to be delivered to the County officers is delivered later than the deadline established by such officers in order to permit compliance with California Government Code Section 29100 *et seq*.

(d) Except as otherwise provided by this Resolution and by law, neither the County, this Board or any officers, officials or employees of the County shall have any liability hereunder or by reason hereof or in connection with the transactions contemplated hereby and the Series 2026 Bonds shall be payable solely from tax proceeds available therefor as set forth in this Section 5.

Section 6. Indemnification of County. The County acknowledges and relies upon the fact that the District has represented that it shall indemnify and hold harmless, to the extent permitted by law, the County and its officers and employees ("Indemnified Parties"), against any and all losses, claims, damages or liabilities, joint or several, to which such Indemnified Parties may become subject because of action or inaction related to the adoption of this Resolution, or related to the proceedings for sale, award, issuance and delivery of the Series 2026 Bonds in accordance herewith and with the District Resolution and that the District shall also reimburse any such Indemnified Parties for any legal or other expenses incurred in connection with investigating or defending any such claims or actions.

Section 7. Limited Responsibility for Official Statement. Neither this Board of Supervisors nor any officer of the County has prepared or reviewed the official statement of the District describing the Series 2026 Bonds (the "Official Statement"), and this Board of Supervisors and the various officers of the County take no responsibility for the contents or distribution thereof; provided, however, that solely with respect to a section contained or to be contained therein describing the County's investment policy, current portfolio holdings and valuation procedures, as they may relate to funds of the District held by the County Treasurer, the County Treasurer is hereby authorized and directed to prepare and review such information for inclusion in the District's Official Statement and in a preliminary Official Statement, and to certify in writing prior to or upon the issuance of the Series 2026 Bonds that the information contained in such section does not contain any untrue statement of a material fact or omit to state any material fact necessary in order to make the statements made therein, in the light of the circumstances under which they are made, not misleading.

Section 8. Limited Liability. Notwithstanding anything to the contrary contained herein, in the Series 2026 Bonds or in any other document mentioned herein, neither the County nor the Board shall have any

liability hereunder or by reason hereof or in connection with the transactions contemplated hereby, and the Series 2026 Bonds shall be payable solely from tax proceeds and any other moneys of the District available therefore as set forth in the District Resolution and herein. This provision in no manner limits the obligations of the County to levy, collect and hold property taxes for the Series 2026 Bonds as required by law.

Section 9. Delivery of Resolution. The Clerk of the Board of Supervisors is hereby directed to deliver a copy of this Resolution to the Superintendent of the District.

Section 10. Effective Date: This Resolution shall take effect from and after its adoption.

* * * * * *

CLERK'S CERTIFICATE

I, _____, Deputy Clerk of the Board of Supervisors (the "Board") of the County of Contra Costa, do hereby certify that the attached is a full, true and correct copy of a resolution and order duly adopted at a regular meeting of the Board held at the regular meeting place thereof on February 10, 2026, and entered in the minutes thereof, of which meeting all the members of the Board had due notice and at which a quorum thereof was present.

An agenda of said meeting was posted at least 72 hours before said meeting at 1025 Escobar Street, Martinez, California, a location freely accessible to members of the public, and on the County's website at <https://www.contracosta.ca.gov/4664/Board-Meeting-Agendas-and-Videos>, and a brief description of said resolution appeared on said agenda. A copy of said agenda is attached hereto.

I further certify that I have carefully compared the attached copy with the original minutes of said meeting on file and of record in my office. Said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

WITNESS my hand this _____ day of _____, 2026.

Deputy Clerk of the Board of Supervisors

County of Contra Costa

RESOLUTION NO. 2026-02

RESOLUTION OF THE BOARD OF EDUCATION OF THE BRENTWOOD UNION SCHOOL DISTRICT AUTHORIZING THE ISSUANCE AND SALE OF NOT TO EXCEED $6,500,000 AGGREGATE PRINCIPAL AMOUNT OF BONDS OF THE DISTRICT BY A NEGOTIATED SALE, APPROVING A BOND PURCHASE AGREEMENT, A CONTINUING DISCLOSURE CERTIFICATE AND AN OFFICIAL STATEMENT FOR THE BONDS, AND AUTHORIZING RELATED ACTIONS

WHEREAS, an election was duly called and regularly held in the Brentwood Union School District (the "District"), located in the County of Contra Costa, California (the "County"), on June 7, 2016, at which the following proposition (as abbreviated pursuant to Section 13247 of the California Elections Code) was submitted to the electors of the District (the "Bond Measure"):

> "*To provide Brentwood students with 21st century classrooms, upgrade libraries and science labs, improve school safety and security, expand access to classroom technology for students and teachers, renovate and modernize older schools in the District, build a new elementary school, and replace, acquire, construct and renovate school facilities, shall the Brentwood Union School District issue $158,000,000 in bonds, at legal interest rates, with an independent citizens' oversight committee and no funds spent on administrators salaries?*"

and

WHEREAS, passage of the Bond Measure required at least a 55% affirmative vote of the votes cast therein, and at least 55% of the votes cast on the Bond Measure were in favor of issuing said bonds; and

WHEREAS, on December 28, 2016, pursuant to Resolution No. 2016-21 of the Board of Education of the District (the "Board of Education"), adopted on October 26, 2016, a portion of such bonds, designated the "Brentwood Union School District (Contra Costa County, California) General Obligation Bonds, Election of 2016, Series 2016," in an aggregate principal amount of $25,000,000, was issued and sold; and

WHEREAS, on October 9, 2019, pursuant to Resolution No. 2019-15 of the Board of Education, adopted on September 11, 2019, a portion of such bonds, designated the "Brentwood Union School District (Contra Costa County, California) General Obligation Bonds, Election of 2016, Series 2019," in an aggregate principal amount of $20,000,000, was issued and sold; and

WHEREAS, on October 20, 2022, pursuant to Resolution No. 2022-12 of the Board of Education, adopted on August 17, 2022, a portion of such bonds, designated the "Brentwood Union School District (Contra Costa County, California) General Obligation Bonds, Election of 2016, Series 2022," in an aggregate principal amount of $50,000,000, was issued and sold; and

WHEREAS, on November 6, 2024, pursuant to Resolution No. 2024-26 of the Board of Education, adopted on September 11, 2024, a portion of such bonds, designated the "Brentwood Union School District (Contra Costa County, California) General Obligation Bonds, Election of 2016, Series 2024," in an aggregate principal amount of $9,000,000, was issued and sold, leaving $54,000,000 aggregate principal amount authorized but unissued under the Bond Measure; and

WHEREAS, at this time, the Board of Education deems it necessary and desirable to authorize and consummate the sale of an additional portion of the bonds, designated the "Brentwood Union School District (Contra Costa County, California) General Obligation Bonds, Election of 2016, Series 2026" (the "Series 2026 Bonds"), with such additional or other series or subseries designations as may be approved as herein provided, in an aggregate principal amount not exceeding $6,500,000, for purposes of financing projects authorized to be financed under the Bond Measure, according to the terms and in the manner hereinafter set forth; and

WHEREAS, Sections 53506 *et seq.* of the California Government Code, including Section 53508.7 thereof, provide that a school district may issue and sell bonds on its own behalf at a private or negotiated sale pursuant to Sections 15140 and 15146 of the California Education Code; and

WHEREAS, Section 15140(b) of the California Education Code provides that the board of supervisors of a county may authorize a school district over which the county superintendent of schools has jurisdiction to issue and sell its own bonds without the further action of the board of supervisors or officers of the county if said school district has not received a qualified or negative certification in its most recent interim report; and

WHEREAS, the Contra Costa County Superintendent of Schools has jurisdiction over the District; and

WHEREAS, the District has not received a qualified or negative certification in its most recent interim report; and

WHEREAS, the Series 2026 Bonds shall be issued and sold by the District on its own behalf at a negotiated sale pursuant to authorization to be obtained from the Board of Supervisors (the "Board of Supervisors") of the County; and

WHEREAS, the Board of Education has determined that enhancing the timely payment of the principal of and interest on the Series 2026 Bonds by obtaining a municipal bond insurance policy with respect thereto could be economically advantageous to the District; and

WHEREAS, a form of Bond Purchase Agreement (such Bond Purchase Agreement, in the form presented to this meeting, with such changes, insertions and omissions as are made pursuant to this Resolution, being referred to herein as the "Bond Purchase Agreement") to purchase the Series 2026 Bonds proposed to be entered into with RBC Capital Markets, LLC, as underwriter (the "Underwriter"), has been prepared; and

WHEREAS, Rule 15c2-12 promulgated under the Securities Exchange Act of 1934 ("Rule 15c2-12") requires that, in order to be able to purchase or sell the Series 2026 Bonds, the Underwriter must have reasonably determined that the District has undertaken in a written

agreement or contract for the benefit of the holders of the Series 2026 Bonds to provide disclosure of certain financial and operating information and certain enumerated events on an ongoing basis; and

WHEREAS, in order to cause such requirement to be satisfied, the District desires to execute and deliver a Continuing Disclosure Certificate (such Continuing Disclosure Certificate, in the form presented to this meeting, with such changes, insertions and omissions as are made pursuant to this Resolution, being referred to herein as the "Continuing Disclosure Certificate"), a form of which has been prepared; and

WHEREAS, the Preliminary Official Statement to be distributed in connection with the public offering of the Series 2026 Bonds has been prepared (such Preliminary Official Statement, in the form presented to this meeting, with such changes, insertions and omissions as are made pursuant to this Resolution, being referred to herein as the "Preliminary Official Statement"); and

WHEREAS, California Government Code Section 5852.1 and California Education Code Section 15146(b)(1)(D) require that the Board of Education obtain from an underwriter, financial advisor or private lender and disclose, prior to authorization of the issuance of bonds with a term of greater than 13 months, good faith estimates of the following information in a meeting open to the public: (a) the true interest cost of the bonds, (b) the sum of all fees and charges paid to third parties with respect to the bonds (or costs associated with the bonds as required under Section 15146(b)(1)(D) of the California Education Code), (c) the amount of proceeds of the bonds expected to be received net of the fees and charges paid to third parties and any reserves or capitalized interest paid or funded with proceeds of the bonds, and (d) the sum total of all debt service payments on the bonds calculated to the final maturity of the bonds plus the fees and charges paid to third parties not paid with the proceeds of the bonds; and

WHEREAS, in compliance with California Government Code Section 5852.1 and California Education Code Section 15146(b)(1)(D), the Board of Education has obtained from Isom Advisors, a Division of Urban Futures, Inc., as financial advisor under California Education Code Section 15146(b)(1)(C) and as municipal advisor under Section 15B of the Securities Exchange Act of 1934 (the "Municipal Advisor"), and from the Underwriter, the required good faith estimates, including the costs associated with the Series 2026 Bonds, and such estimates are disclosed and set forth on Exhibit A attached hereto; and

WHEREAS, the District has previously adopted a local debt policy (the "Debt Management Policy") that complies with California Government Code Section 8855(i), and the District's sale and issuance of the Series 2026 Bonds as contemplated by this Resolution is in compliance with the Debt Management Policy; and

WHEREAS, the Board of Education has been presented with the form of each document referred to herein relating to the financing contemplated hereby, and the Board of Education has examined each document and desires to approve, authorize and direct the execution of such documents and the consummation of such financing; and

WHEREAS, the District desires that the County levy and collect a tax on all taxable property within the District sufficient to provide for payment of the Series 2026 Bonds, and intends

by the adoption of this Resolution to notify the Board of Supervisors of the County, the Auditor-Controller of the County, the Treasurer-Tax Collector of the County and other officials of the County that they should take such actions as shall be necessary to provide for the levy and collection of such a tax and payment of principal of and interest on the Series 2026 Bonds, all pursuant to Sections 15250 *et seq.* of the California Education Code; and

WHEREAS, all acts, conditions and things required by the Constitution and laws of the State of California to exist, to have happened and to have been performed precedent to and in connection with the consummation of the actions authorized hereby do exist, have happened and have been performed in regular and due time, form and manner as required by law, and the District is now duly authorized and empowered, pursuant to each and every requirement of law, to consummate such actions for the purpose, in the manner and upon the terms herein provided;

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of the Brentwood Union School District, County of Contra Costa, as follows:

Section 1. Recitals. All of the above recitals are true and correct and the Board of Education so finds and determines.

Section 2. Definitions. Unless the context clearly otherwise requires, the terms defined in this Section shall, for all purposes of this Resolution, have the meanings specified herein, to be equally applicable to both the singular and plural forms of any of the terms herein defined.

"**Auditor-Controller**" means the Auditor-Controller of the County, or any authorized deputy thereof.

"**Authorized Officers**" means the President of the Board of Education, or such other member of the Board of Education as the President may designate, the Superintendent of the District, the Chief Business Official of the District, including anyone serving as an interim or provisional officer in such positions, or such other officer or employee of the District as the Superintendent may designate.

"**Board of Education**" means the Board of Education of the District.

"**Board of Supervisors**" means the Board of Supervisors of the County.

"**Bond Purchase Agreement**" means the Bond Purchase Agreement relating to the sale of the Series 2026 Bonds by and between the District and the Underwriter in accordance with the provisions hereof.

"**Bonds**" means all bonds, including refunding bonds, of the District heretofore or hereafter issued pursuant to voter-approved measures of the District, including bonds approved by the voters of the District on November 4, 1997, March 4, 2003, and pursuant to the Bond Measure.

"**Cede & Co.**" means Cede & Co., the nominee of DTC, and any successor nominee of DTC with respect to the Series 2026 Bonds.

"**Code**" means the Internal Revenue Code of 1986.

"**Continuing Disclosure Certificate**" means the Continuing Disclosure Certificate executed and delivered by the District relating to the Series 2026 Bonds.

"**County**" means the County of Contra Costa.

"**District**" means the Brentwood Union School District.

"**DTC**" means The Depository Trust Company, a limited-purpose trust company organized under the laws of the State of New York, and its successors as securities depository for the Series 2026 Bonds, including any such successor thereto appointed pursuant to Section 9 hereof.

"**Interest Payment Date**" means February 1 and August 1 of each year, commencing on August 1, 2026, or such other dates as may be set forth in the Bond Purchase Agreement.

"**Investment Agreement**" shall have the meaning set forth in Section 15 hereof.

"**Municipal Advisor**" means Isom Advisors, a Division of Urban Futures, Inc., as financial advisor to the District under California Education Code Section 15146(b)(1)(C) and as municipal advisor to the District under Section 15B of the Securities Exchange Act of 1934.

"**Official Statement**" means the Official Statement of the District relating to the Series 2026 Bonds.

"**Opinion of Bond Counsel**" means an opinion of counsel of nationally recognized standing in the field of law relating to municipal bonds.

"**Owner**" means, with respect to any Bond, including any Series 2026 Bond, the person whose name appears on the applicable registration books as the registered owner thereof.

"**Paying Agent**" means U.S. Bank Trust Company, National Association, or the Treasurer of the County, including his or her designated agents, or any bank, trust company, national banking association or other financial institution, appointed as Paying Agent to act as authenticating agent, bond registrar, transfer agent and paying agent for the Series 2026 Bonds in accordance with Section 8 hereof.

"**Preliminary Official Statement**" means the Preliminary Official Statement of the District relating to the Series 2026 Bonds.

"**Record Date**" means, with respect to any Interest Payment Date for Series 2026 Bonds, the 15th day of the calendar month immediately preceding such Interest Payment Date for such Series 2026 Bonds, whether or not such day is a business day, or such other date or dates as may be set forth in the Bond Purchase Agreement.

"**Registration Books**" means the books for the registration and transfer of the Series 2026 Bonds maintained by the Paying Agent in accordance with Section 8(d) hereof.

"**Series 2026 Bonds**" means the Bonds authorized and issued pursuant to this Resolution, in one or more series or subseries, designated the "Brentwood Union School District (Contra Costa

County, California) General Obligation Bonds, Election of 2016, Series 2026," with such additional or other series or subseries designations as may be approved as herein provided.

"**State**" means the State of California.

"**Tax Certificate**" means the Tax Certificate with respect to the Series 2026 Bonds not issued as Taxable Bonds, executed by the District, dated the date of issuance of such Series 2026 Bonds.

"**Tax-Exempt**" means, with respect to interest on any obligations of a state or local government, that such interest is excluded from the gross income of the holders thereof for federal income tax purposes, whether or not such interest is includable as an item of tax preference or otherwise includable directly or indirectly for purposes of calculating other tax liabilities, including any alternative minimum tax or environmental tax under the Code.

"**Taxable Bonds**" means those Series 2026 Bonds the interest on which is not Tax-Exempt.

"**Treasurer**" means the Treasurer-Tax Collector of the County, or any authorized deputy thereof.

"**Underwriter**" means RBC Capital Markets, LLC, as underwriter of the Series 2026 Bonds.

Section 3. Authorization and Designation of Bonds. Subject to the authorization of the District of the Board of Supervisors of the County to issue and sell the Series 2026 Bonds without the further action of the Board of Supervisors pursuant to Sections 15140 and 15146 of the California Education Code, as permitted by Section 53508.7 of the California Government Code, which authorization is hereby respectfully requested, the Series 2026 Bonds described herein are being issued pursuant to the authority of Article 4.5 of Chapter 3, of Part 1 of Division 2 of Title 5 of the California Government Code, and other applicable provisions of law, including applicable provisions of the California Education Code. The Board of Education hereby authorizes the issuance and sale, by a negotiated sale, of not to exceed $6,500,000 aggregate principal amount of Series 2026 Bonds. The Series 2026 Bonds may be issued in one or more series or subseries and shall be designated "Brentwood Union School District (Contra Costa County, California) General Obligation Bonds, Election of 2016, Series 2026," with appropriate additional or other series or subseries designations as approved by an Authorized Officer. The proceeds of the Series 2026 Bonds, exclusive of any premium and accrued interest received by the District, shall be applied to finance projects authorized to be financed under the Bond Measure.

Section 4. Form of Bonds; Execution. (a) *Form of Series 2026 Bonds*. The Series 2026 Bonds shall be issued in fully registered form without coupons. The Series 2026 Bonds, and the certificate of authentication and registration and the form of assignment to appear on each of them, shall be in substantially the form attached hereto as Exhibit B, with necessary or appropriate variations, omissions and insertions as permitted or required by this Resolution.

(b) *Execution of Bonds*. The Series 2026 Bonds shall be signed by the manual or facsimile signature of the President of the Board of Education, and countersigned by the manual or facsimile signature of the Clerk or Secretary of the Board of Education (or the designee of any

of such respective officers if any are unavailable). The Series 2026 Bonds shall be authenticated by a manual signature of a duly authorized signatory of the Paying Agent.

(c) *Valid Authentication.* Only such of the Series 2026 Bonds as shall bear thereon a certificate of authentication and registration as described in subsection (a) of this Section, executed by the Paying Agent, shall be valid or obligatory for any purpose or entitled to the benefits of this Resolution, and such certificate of authentication and registration shall be conclusive evidence that the Series 2026 Bonds so authenticated have been duly authenticated and delivered hereunder and are entitled to the benefits of this Resolution.

(d) *Identifying Number.* The Paying Agent shall assign each Series 2026 Bond authenticated and registered by it a distinctive letter, or number, or letter and number, and shall maintain a record thereof at its principal office, which record shall be available to the District and the County for inspection.

Section 5. Terms of Bonds. (a) *Date of Series 2026 Bonds.* The Series 2026 Bonds shall be dated the date of their delivery, or such other date as shall be set forth in the Bond Purchase Agreement.

(b) *Denominations.* The Series 2026 Bonds shall be issued in denominations of $5,000 principal amount or any integral multiple thereof.

(c) *Maturity.* The Series 2026 Bonds shall mature on the date or dates, in each of the years, in the principal amounts and in the aggregate principal amount as shall be set forth in the Bond Purchase Agreement. No Series 2026 Bond shall mature later than the date which is 30 years from the date of the Series 2026 Bonds, to be determined as provided in subsection (a) of this Section. No Series 2026 Bond shall have principal maturing on more than one principal maturity date.

(d) *Interest; Series 2026 Bonds.* The Series 2026 Bonds shall bear interest at an interest rate or rates not to exceed 8.00% per annum, payable on the Interest Payment Dates in each year computed on the basis of a 360-day year of twelve 30-day months. Each Series 2026 Bond shall bear interest from the Interest Payment Date for such Series 2026 Bond next preceding the date of authentication thereof, unless it is authenticated after the close of business on a Record Date and on or prior to the succeeding Interest Payment Date for such Series 2026 Bond, in which event it shall bear interest from such Interest Payment Date for such Series 2026 Bond, or unless it is authenticated on or before the Record Date preceding the first Interest Payment Date for such Series 2026 Bond, in which event it shall bear interest from its dated date; provided, however, that if, at the time of authentication of any Series 2026 Bond, interest is in default on any outstanding Series 2026 Bonds, such Series 2026 Bond shall bear interest from the Interest Payment Date for such Series 2026 Bond to which interest has previously been paid or made available for payment on the outstanding Series 2026 Bonds.

(e) *Interest; Tax-Exempt or Taxable.* Each series or subseries of the Series 2026 Bonds or portion thereof may be issued such that the interest on such series or subseries of Series 2026 Bonds or portion thereof is Tax-Exempt or such that the interest on such series or subseries of Series 2026 Bonds or portion thereof is not Tax-Exempt. The Board of Education hereby finds and

determines that, pursuant to Section 5903 of the California Government Code, the interest payable on each series or subseries of the Series 2026 Bonds or portion thereof issued as Taxable Bonds will be subject to federal income taxation under the Code in existence on the date of issuance of such series or subseries of Series 2026 Bonds.

Section 6. Payment of Bonds. (a) *Request for Tax Levy.* The money for the payment of principal, redemption premium, if any, and interest on the Series 2026 Bonds shall be raised by taxation upon all taxable property in the District and provision shall be made for the levy and collection of such taxes in the manner provided by law and for such payment out of the interest and sinking fund of the District established for such Series 2026 Bonds. The Board of Supervisors and officers of the County are obligated by statute to provide for the levy and collection of property taxes in each year sufficient to pay all principal and interest coming due on the Series 2026 Bonds in such year, and to pay from such taxes all amounts due on the Series 2026 Bonds. The District hereby requests the Board of Supervisors to annually levy a tax upon all taxable property in the District sufficient to redeem the Series 2026 Bonds, and to pay the principal, redemption premium, if any, and interest thereon, and all fees and expenses of the Paying Agent, insofar as permitted by law, including specifically by Section 15232 of the California Education Code, as and when the same become due.

(b) *Principal.* The principal of the Series 2026 Bonds shall be payable in lawful money of the United States of America to the Owner thereof, upon the surrender thereof at the principal corporate trust office of the Paying Agent.

(c) *Interest; Record Date.* The interest on the Series 2026 Bonds shall be payable on each Interest Payment Date in lawful money of the United States of America to the Owner thereof as of the Record Date preceding such Interest Payment Date, such interest to be paid by check or draft mailed on such Interest Payment Date (if a business day, or on the next business day if the Interest Payment Date does not fall on a business day) to such Owner at such Owner's address as it appears on the Registration Books or at such address as the Owner may have filed with the Paying Agent for that purpose except that the payment shall be made by wire transfer of immediately available funds to any Owner of at least $1,000,000 in principal amount of outstanding Series 2026 Bonds who shall have requested in writing such method of payment of interest prior to the close of business on the Record Date immediately preceding any Interest Payment Date.

(d) *Interest and Sinking Fund.* Principal and interest due on the Series 2026 Bonds shall be paid from the interest and sinking fund of the District established for such Series 2026 Bonds as provided in Section 15146 of the California Education Code.

(e) *Obligation of the District.* No part of any fund or account of the County is pledged or obligated to the payment of the Series 2026 Bonds. The obligation for repayment of the Series 2026 Bonds is the sole obligation of the District.

(f) *Pledge of, Lien on and Security Interest in Taxes.* The District hereby pledges, and grants a lien on and security interest in, all revenues from the property taxes collected from the levy by the Board of Supervisors of the County with respect to each voter-approved bond measure of the District for the payment of Bonds issued under such bond measure and all amounts on

deposit in any interest and sinking fund of the District related to such bond measure with respect to the Bonds of such bond measure, in order to secure the payment of the principal or redemption price of and interest on such Bonds. This pledge and grant shall be valid and binding from the date hereof for the benefit of the Owners of the Bonds and successors thereto. The property taxes and amounts held in any interest and sinking fund of the District shall be immediately subject to this pledge and grant, and the pledge and grant shall constitute a lien and security interest which shall immediately attach to (i) the property taxes and (ii) the amounts held in any interest and sinking fund of the District. This pledge and grant shall secure the payment of such Bonds and shall be effective, binding, and enforceable against the District, its successors, creditors and all others irrespective of whether those parties have notice of the pledge or grant and without the need of any physical delivery, recordation, filing, or further act. The pledge and grant is an agreement between the District and the Owners of Bonds to provide security for the Bonds in addition to any statutory lien that may exist, and the Bonds secured by the pledge and grant are or were issued to finance one or more of the projects specified in the applicable voter-approved measure.

(g) *Insurance.* The payment of principal of and interest on all or a portion of the Series 2026 Bonds may be enhanced by a municipal bond insurance policy as shall be described in the Bond Purchase Agreement. The Bond Purchase Agreement may provide that no municipal bond insurance policy shall be obtained. The Authorized Officers are each hereby authorized to apply for, or cause to be applied for, municipal bond insurance for the Series 2026 Bonds and to obtain such insurance if doing so puts the Series 2026 Bonds (or portion thereof) and the marketing thereof on an economically advantageous basis and is deemed to be in the best interests of the District. The Authorized Officers are each hereby authorized, for and in the name and on behalf of the District, to execute and deliver a contract or contracts for such insurance if such contract is deemed by the Authorized Officer executing the same to be in the best interests of the District, such determination to be conclusively evidenced by such Authorized Officer's execution and delivery of such contract. If the Authorized Officers so deem and obtain municipal bond insurance, and such insurance is issued by a mutual insurance company, the Authorized Officers are each hereby authorized to enter into any required mutual insurance agreement substantially in such insurer's standard form with such changes, insertions and omissions therein as the Authorized Officer executing the same may require or approve, such requirement or approval to be conclusively evidenced by the execution of such agreement by such Authorized Officer.

Section 7. Redemption Provisions. (a) *Optional Redemption.* The Series 2026 Bonds may be subject to redemption, at the option of the District, on the dates and terms as shall be designated in the Bond Purchase Agreement. The Bond Purchase Agreement may provide that the Series 2026 Bonds shall not be subject to optional redemption.

(b) *Selection.* If less than all of the Series 2026 Bonds, if any, are subject to such redemption and are called for redemption, such Series 2026 Bonds shall be redeemed in inverse order of maturities or as otherwise directed by the District (or as otherwise set forth in the Bond Purchase Agreement), and if less than all of the Series 2026 Bonds of any given maturity are called for redemption, the portions of such Series 2026 Bonds of a given maturity to be redeemed shall be determined by lot in any manner deemed fair by the Paying Agent (or as otherwise set forth in the Bond Purchase Agreement).

(c) *Mandatory Sinking Fund Redemption.* The Series 2026 Bonds, if any, which are designated in the Bond Purchase Agreement as term bonds shall also be subject to redemption prior to their stated maturity dates, without a redemption premium, in part by lot (or as otherwise set forth in the Bond Purchase Agreement), from mandatory sinking fund payments in the amounts and in accordance with the terms to be specified in the Bond Purchase Agreement. Unless otherwise provided in the Bond Purchase Agreement, the principal amount of each mandatory sinking fund payment of any maturity shall be reduced proportionately or as otherwise directed by the District by the amount of any Series 2026 Bonds of that maturity redeemed in accordance with subsection (a) of this Section prior to the mandatory sinking fund payment date. The Bond Purchase Agreement may provide that the Series 2026 Bonds shall not be subject to mandatory sinking fund redemption. The Auditor-Controller is hereby authorized to create such sinking funds or accounts for the term Series 2026 Bonds as shall be necessary to accomplish the purposes of this Section.

(d) *Notice of Redemption.* Notice of any redemption of the Series 2026 Bonds shall be mailed by the Paying Agent, postage prepaid, not less than 20 nor more than 60 days prior to the redemption date (i) by first class mail to the County and the respective Owners thereof at the addresses appearing on the Registration Books, and (ii) as may be further required in accordance with the Continuing Disclosure Certificate.

Each notice of redemption shall state (i) the date of such notice; (ii) the name of the Series 2026 Bonds and the date of issue of the Series 2026 Bonds; (iii) the redemption date; (iv) the redemption price; (v) the series of Series 2026 Bonds and the dates of maturity or maturities of Series 2026 Bonds to be redeemed; (vi) if less than all of the Series 2026 Bonds of a series of any maturity are to be redeemed, the distinctive numbers of the Series 2026 Bonds of each maturity of such series to be redeemed; (vii) in the case of Series 2026 Bonds of a series redeemed in part only, the respective portions of the principal amount of the Series 2026 Bonds of each maturity of such series to be redeemed; (viii) the CUSIP number, if any, of each maturity of Series 2026 Bonds of a series to be redeemed; (ix) a statement that such Series 2026 Bonds must be surrendered by the Owners at the principal corporate trust office of the Paying Agent, or at such other place or places designated by the Paying Agent; (x) notice that further interest on such Series 2026 Bonds will not accrue after the designated redemption date; and (xi) in the case of a conditional notice, that such notice is conditioned upon certain circumstances and the manner of rescinding such conditional notice.

(e) *Effect of Notice.* A certificate of the Paying Agent that notice of redemption has been given to Owners as herein provided shall be conclusive as against all parties. Neither the failure to receive the notice of redemption as provided in this Section, nor any defect in such notice shall affect the sufficiency of the proceedings for the redemption of the Series 2026 Bonds called for redemption or the cessation of interest on the date fixed for redemption.

When notice of redemption has been given substantially as provided for herein, and when the redemption price of the Series 2026 Bonds called for redemption is set aside for the purpose as described in subsection (g) of this Section, the Series 2026 Bonds designated for redemption shall become due and payable on the specified redemption date and interest shall cease to accrue thereon as of the redemption date, and upon presentation and surrender of such Series 2026 Bonds at the place specified in the notice of redemption, such Series 2026 Bonds shall be redeemed and

paid at the redemption price thereof out of the money provided therefor. The Owners of such Series 2026 Bonds so called for redemption after such redemption date shall be entitled to payment thereof only from the interest and sinking fund of the District established therefor or the trust fund established for such purpose. All Series 2026 Bonds redeemed shall be cancelled forthwith by the Paying Agent and shall not be reissued.

(f) *Right to Rescind Notice.* The District may rescind any optional redemption and notice thereof for any reason on any date prior to the date fixed for redemption by causing written notice of the rescission to be given to the Owners of the Series 2026 Bonds so called for redemption. Any optional redemption and notice thereof shall be rescinded if for any reason on the date fixed for redemption monies are not available in the interest and sinking fund established for the Series 2026 Bonds or otherwise held in trust for such purpose in an amount sufficient to pay in full on said date the principal of, interest, and any premium due on the Series 2026 Bonds called for redemption. Notice of rescission of redemption shall be given in the same manner in which notice of redemption was originally given. The actual receipt by the Owner of any Series 2026 Bond of notice of such rescission shall not be a condition precedent to rescission, and failure to receive such notice or any defect in such notice shall not affect the validity of the rescission.

(g) *Funds for Redemption.* Prior to or on the redemption date of any Series 2026 Bonds there shall be available in the interest and sinking fund of the District established for the Series 2026 Bonds, or held in trust for such purpose as provided by law, monies for the purpose and sufficient to redeem, at the redemption prices as in this Resolution provided, the Series 2026 Bonds designated in the notice of redemption. Such monies shall be applied on or after the redemption date solely for payment of principal of, interest and premium, if any, on the Series 2026 Bonds to be redeemed upon presentation and surrender of such Series 2026 Bonds, provided that all monies in the interest and sinking fund of the District established for the Series 2026 Bonds shall be used for the purposes established and permitted by law. Any interest due on or prior to the redemption date shall be paid from the interest and sinking fund of the District established for the Series 2026 Bonds, unless otherwise provided to be paid from such monies held in trust. If, after all of the Series 2026 Bonds have been redeemed and cancelled or paid and cancelled, there are monies remaining in the interest and sinking fund of the District established for the Series 2026 Bonds or otherwise held in trust for the payment of the redemption price of the Series 2026 Bonds, the monies shall be held in or returned or transferred to any interest and sinking fund of the District for payment of any outstanding Bonds of the District payable from such fund; provided, however, that if the monies are part of the proceeds of Bonds of the District, the monies shall be transferred to the fund created for the payment of principal of and interest on such Bonds. If no such Bonds of the District are at such time outstanding, the monies shall be transferred to the general fund of the District as provided and permitted by law.

(h) *Defeasance of Bonds.* If at any time the District shall pay or cause to be paid or there shall otherwise be paid to the Owners of any or all of the outstanding Series 2026 Bonds all or any part of the principal, interest and premium, if any, on the Series 2026 Bonds at the times and in the manner provided herein and in the Series 2026 Bonds, or as provided in the following paragraph, or as otherwise provided by law consistent herewith, then such Owners shall cease to be entitled to the obligation of the District and the County as provided in Section 6 hereof, and such obligation and all agreements and covenants of the District to such Owners hereunder and under the Series 2026 Bonds shall thereupon be satisfied and discharged and shall terminate,

except only that the District shall remain liable for payment of all principal, interest and premium, if any, represented by the Series 2026 Bonds, but only out of monies on deposit in the interest and sinking fund established for the Series 2026 Bonds or otherwise held in trust for such payment; and provided further, however, that the provisions of subsection (i) of this Section shall apply in all events.

For purposes of this Section, the District may pay and discharge any or all of the Series 2026 Bonds by depositing in trust with the Paying Agent, or an escrow agent selected by the District, at or before maturity, money and/or non-callable direct obligations of the United States of America (including zero interest bearing State and Local Government Series) or other non-callable obligations the payment of the principal of and interest on which is guaranteed by a pledge of the full faith and credit of the United States of America, in an amount which will, together with the interest to accrue thereon and available monies then on deposit in the interest and sinking fund of the District established for the Series 2026 Bonds, be fully sufficient to pay and discharge the indebtedness on such Series 2026 Bonds (including all principal, interest and redemption premiums) at or before their respective maturity dates.

(i) *Unclaimed Monies.* Any money held in any fund created pursuant to this Resolution, or by the Paying Agent or an escrow agent in trust, for the payment of the principal of, redemption premium, if any, or interest on the Series 2026 Bonds and remaining unclaimed for two years after the principal of all of the Series 2026 Bonds has become due and payable (whether by maturity or upon prior redemption) shall be transferred to any interest and sinking fund of the District for payment of any outstanding Bonds of the District payable from the fund; or, if no such Bonds of the District are at such time outstanding, the monies shall be transferred to the general fund of the District as provided and permitted by law.

Section 8. Paying Agent. (a) *Appointment; Payment of Fees and Expenses.* This Board of Education does hereby consent to and confirm the appointment of U.S. Bank Trust Company, National Association, to act as the initial Paying Agent for the Series 2026 Bonds. All fees and expenses of the Paying Agent shall be the sole responsibility of the District, and to the extent not paid from the proceeds of sale of the Series 2026 Bonds, or from the interest and sinking fund of the District established for the Series 2026 Bonds, insofar as permitted by law, including specifically by Section 15232 of the California Education Code, such fees and expenses shall be paid by the District.

(b) *Resignation, Removal and Replacement of Paying Agent.* The Paying Agent initially appointed, or any successor Paying Agent may resign from service as Paying Agent and may be removed at any time by the District as provided in the Paying Agent's service agreement. If at any time the Paying Agent shall resign or be removed, the District shall appoint a successor Paying Agent, which shall be the Treasurer of the County, including his or her designated agents and any third party that the Treasurer contracts with to perform the services of Paying Agent under this Resolution, or any bank, trust company, national banking association or other financial institution, doing business in and having a corporate trust office in California, with at least $100,000,000 in net assets.

(c) *Principal Corporate Trust Office.* The initial Paying Agent, and any successor Paying Agent, shall designate each place or places where it will conduct the functions of transfer,

registration, exchange, payment, and surrender of the Series 2026 Bonds, and any reference herein to the "principal corporate trust office" of the Paying Agent shall mean the office so designated for a particular purpose, which includes the office of the Treasurer of the County, or the office of the Treasurer's designated agents, if the Treasurer of the County is acting in the capacity of Paying Agent. If no office is so designated for a particular purpose, such functions shall be conducted at the office of U.S. Bank Trust Company, National Association, in San Francisco, California, or the principal corporate trust office of any successor Paying Agent.

(d) *Registration Books*. The Paying Agent shall keep or cause to be kept at its principal corporate trust office, sufficient books for the registration and transfer of the Series 2026 Bonds, which shall at all times be open to inspection by the District and the County, and, upon presentation for such purpose, the Paying Agent shall, under such reasonable regulations as it may prescribe, register or transfer or cause to be registered or transferred on the Registration Books, Series 2026 Bonds as provided in Sections 9 and 10 hereof. The Paying Agent shall keep accurate records of all funds administered by it and of all Series 2026 Bonds paid and discharged by it. Such records shall be provided, upon reasonable request, to the District in a format mutually agreeable to the Paying Agent, the District and the County.

(e) *Merger or Consolidation.* Any bank, national banking association or trust company into which the Paying Agent may be merged or converted or with which it may be consolidated or any bank, national banking association or trust company resulting from any merger, conversion or consolidation to which it shall be a party or any bank, national banking association or trust company to which the Paying Agent may sell or transfer all or substantially all of its corporate trust business, provided such bank, national banking association or trust company shall be eligible under subsection (b) of this Section shall be the successor to such Paying Agent, without the execution or filing of any instrument or any further act, deed or conveyance on the part of any of the parties hereto, anything herein to the contrary notwithstanding.

Section 9. Transfer Under Book-Entry System; Discontinuation of Book-Entry System. (a) *Appointment of Depository; Book-Entry System.* Unless otherwise specified in the Bond Purchase Agreement, DTC is hereby appointed depository for each series of the Series 2026 Bonds and the Series 2026 Bonds shall be issued in book-entry form only, and shall be initially registered in the name of "Cede & Co.," as nominee of DTC. One bond certificate shall be issued for each maturity of each series or subseries of the Series 2026 Bonds; provided, however, that if different CUSIP numbers are assigned to Series 2026 Bonds of a series or subseries maturing in a single year or, if Series 2026 Bonds of the same series or subseries maturing in a single year are issued with different interest rates, additional bond certificates shall be prepared for each such maturity. Registered ownership of such Series 2026 Bonds of each such maturity, or any portion thereof, may not thereafter be transferred except as provided in this Section or Section 10 hereof:

(i) To any successor of DTC, or its nominee, or to any substitute depository designated pursuant to clause (ii) of this Section (a "substitute depository"); provided, however that any successor of DTC, as nominee of DTC or substitute depository, shall be qualified under any applicable laws to provide the services proposed to be provided by it;

(ii) To any substitute depository not objected to by the District, upon (1) the resignation of DTC or its successor (or any substitute depository or its successor) from its

functions as depository, or (2) a determination by the District to substitute another depository for DTC (or its successor) because DTC or its successor (or any substitute depository or its successor) is no longer able to carry out its functions as depository; provided, that any such substitute depository shall be qualified under any applicable laws to provide the services proposed to be provided by it; or

(iii) To any person as provided below, upon (1) the resignation of DTC or its successor (or substitute depository or its successor) from its functions as depository; provided that no substitute depository which is not objected to by the District can be obtained, or (2) a determination by the District that it is in the best interests of the District to remove DTC or its successor (or any substitute depository or its successor) from its functions as depository.

(b) *Transfers.* In the case of any transfer pursuant to clause (i) or clause (ii) of subsection (a) of this Section, upon receipt of the outstanding Series 2026 Bonds by the Paying Agent, together with a written request of the District to the Paying Agent, a new Series 2026 Bond for each maturity shall be executed and delivered (in the aggregate principal amount of such Series 2026 Bonds then outstanding), registered in the name of such successor or such substitute depository, or their nominees, as the case may be, all as specified in such written request of the District. In the case of any transfer pursuant to clause (iii) of subsection (a) of this Section, upon receipt of the outstanding Series 2026 Bonds by the Paying Agent together with a written request of the District to the Paying Agent, new Series 2026 Bonds shall be executed and delivered in such denominations, numbered in the manner determined by the Paying Agent, and registered in the names of such persons, as are requested in such written request of the District, subject to the limitations of Section 5 hereof and the receipt of such a written request of the District, and thereafter, the Series 2026 Bonds shall be transferred pursuant to the provisions set forth in Section 10 hereof; provided, however, that the Paying Agent shall not be required to deliver such new Series 2026 Bonds within a period of less than 60 days after the receipt of any such written request of the District.

(c) *Partial or Advance Refundings.* In the case of partial redemption or an advance refunding of the Series 2026 Bonds evidencing all or a portion of the principal amount then outstanding, DTC shall make an appropriate notation on the Series 2026 Bonds indicating the date and amounts of such reduction in principal.

(d) *Treatment of Registered Owner.* The District and the Paying Agent shall be entitled to treat the person in whose name any Series 2026 Bond is registered as the owner thereof, notwithstanding any notice to the contrary received by the District or the Paying Agent; and the District and the Paying Agent shall have no responsibility for transmitting payments to, communicating with, notifying, or otherwise dealing with any beneficial owners of the Series 2026 Bonds, and neither the District nor the Paying Agent shall have any responsibility or obligation, legal or otherwise, to the beneficial owners or to any other party, including DTC or its successor (or substitute depository or its successor), except for the Owner of any Series 2026 Bonds.

(e) *Form of Payment.* So long as the outstanding Series 2026 Bonds are registered in the name of Cede & Co. or its registered assigns, the District and the Paying Agent shall cooperate with Cede & Co., as sole registered Owner, or its registered assigns in effecting payment of the

principal of and interest on the Series 2026 Bonds by arranging for payment in such manner that funds for such payments are properly identified and are made immediately available on the date they are due.

Section 10. Transfer and Exchange. (a) *Transfer.* Following the termination or removal of DTC or successor depository pursuant to Section 9 hereof, any Series 2026 Bond may, in accordance with its terms, be transferred, upon the Registration Books, by the Owner thereof, in person or by the duly authorized attorney of such Owner, upon surrender of such Series 2026 Bond to the Paying Agent for cancellation, accompanied by delivery of a duly executed written instrument of transfer in a form approved by the Paying Agent.

Whenever any Series 2026 Bond or Series 2026 Bonds shall be surrendered for transfer, the designated District officials shall execute and the Paying Agent shall authenticate and deliver, as provided in Section 4 hereof, a new Series 2026 Bond or Series 2026 Bonds, of the same series, maturity, Interest Payment Date and interest rate or rates (for a like aggregate principal amount). The Paying Agent may require the payment by any Owner of Series 2026 Bonds requesting any such transfer of any tax or other governmental charge required to be paid with respect to such transfer.

No transfer of any Series 2026 Bond shall be required to be made by the Paying Agent (i) during the period established by the Paying Agent for selection of the Series 2026 Bonds for redemption, and (ii) after any Series 2026 Bond has been selected for redemption.

(b) *Exchange*. The Series 2026 Bonds may be exchanged for Series 2026 Bonds of other authorized denominations of the same series, maturity, Interest Payment Date and interest rate or rates, by the Owner thereof, in person or by the duly authorized attorney of such Owner, upon surrender of such Series 2026 Bond to the Paying Agent for cancellation, accompanied by delivery of a duly executed request for exchange in a form approved by the Paying Agent.

Whenever any Series 2026 Bond or Series 2026 Bonds shall be surrendered for exchange, the designated District officials shall execute and the Paying Agent shall authenticate and deliver, as provided in Section 4 hereof, a new Series 2026 Bond or Series 2026 Bonds of the same series, maturity and Interest Payment Date and interest rate or rates (for a like aggregate principal amount). The Paying Agent may require the payment by the Owner requesting such exchange of any tax or other governmental charge required to be paid with respect to such exchange.

No exchange of any Series 2026 Bonds shall be required to be made by the Paying Agent (i) during the period established by the Paying Agent for selection of the Series 2026 Bonds for redemption, and (ii) after any Series 2026 Bond has been selected for redemption.

Section 11. Bond Purchase Agreement; Sale of Bonds. *(a) Bond Purchase Agreement.* The form of Bond Purchase Agreement, in substantially the form submitted to this meeting and made a part hereof as though set forth herein, is hereby approved, and the Authorized Officers are each hereby authorized and directed, for and in the name and on behalf of the District, to execute and deliver the Bond Purchase Agreement in substantially said form, with such changes, insertions and omissions therein as the Authorized Officer executing the same may require or approve, such approval to be conclusively evidenced by the execution and delivery thereof; provided, however,

that (a) the true interest cost for the Series 2026 Bonds shall not be in excess of 6.00%, (b) the interest rates on the Series 2026 Bonds shall not exceed 8.00% per annum, (c) the ratio of total debt service to principal of the Series 2026 Bonds shall not exceed four to one, (d) the Underwriter's discount for the sale of Series 2026 Bonds shall not exceed 0.50% of the principal amount of such Series 2026 Bonds (exclusive of any costs of issuance the Underwriter contracts to pay), and (e) the Series 2026 Bonds shall otherwise conform to the limitations specified herein.

The Bond Purchase Agreement shall recite the aggregate principal amount of the Series 2026 Bonds, and the date thereof, the maturity dates, principal amounts and annual rates of interest of each maturity thereof, the initial and semiannual Interest Payment Dates thereof, and the terms of optional and mandatory sinking fund redemption thereof, if any.

(b) *Method of Sale.* The Board of Education hereby finds and determines that the sale of the Series 2026 Bonds at negotiated sale as contemplated herein and by the Bond Purchase Agreement will provide more flexibility in the timing of the sale, an ability to implement the sale in a shorter time period, an increased ability to structure the Series 2026 Bonds to fit the needs of particular purchasers, and greater opportunity for the Underwriter to pre-market the Series 2026 Bonds to potential purchasers prior to the sale, all of which will contribute to the District's goal of achieving the lowest overall cost of funds.

(c) *Reserves and Capitalized Interest.* In accordance with subsections (i) and (j) of Section 15146 of the California Education Code, the Authorized Officers are each hereby authorized to cause to be deposited in the interest and sinking fund of the District established for the Series 2026 Bonds proceeds of sale of the Series 2026 Bonds (in addition to any premium or accrued interest received by the District) to fund (i) an annual reserve permitted by Section 15250 of the California Education Code, and/or (ii) capitalized interest in an amount not exceeding the interest scheduled to become due on the Series 2026 Bonds for a period of two years from the date of issuance of the Series 2026 Bonds, as shall be set forth in the Bond Purchase Agreement, if any such deposit is deemed by the Authorized Officer executing the same to be in the best interests of the District.

(d) *Good Faith Estimates.* In accordance with California Government Code Section 5852.1 and subsection (b)(1)(D) of Section 15146 of the California Education Code, good faith estimates of the following have been obtained from the Municipal Advisor and the Underwriter and are set forth on Exhibit A attached hereto: (i) the true interest cost of the Series 2026 Bonds, (ii) the sum of all fees and charges paid to third parties with respect to the Series 2026 Bonds, (iii) the amount of proceeds of the Series 2026 Bonds expected to be received net of the fees and charges paid to third parties and any reserves or capitalized interest paid or funded with proceeds of the Series 2026 Bonds, and (iv) the sum total of all debt service payments on the Series 2026 Bonds calculated to the final maturity of the Series 2026 Bonds plus the fees and charges paid to third parties not paid with the proceeds of the Series 2026 Bonds. In accordance with Section 15146(d) of the California Education Code, the actual costs associated with the issuance of the Series 2026 Bonds shall be presented to this Board of Education at its next scheduled public meeting following the sale of the Series 2026 Bonds.

(e) *Costs of Issuance.* In accordance with subsection (h) of Section 15146 of the California Education Code, to the extent not contracted to be paid by the Underwriter, the

Authorized Officers are each hereby authorized to cause to be deposited in a costs of issuance account, which may be held by a bank, national banking association or trust company meeting the qualifications necessary to be a paying agent set forth in Section 8, as cost of issuance administrator, proceeds of sale of the Series 2026 Bonds (exclusive of any premium or accrued interest received by the District) in an amount not exceeding 2.00% of the principal amount of the Series 2026 Bonds sold, as shall be set forth in the Bond Purchase Agreement, for the purposes of paying the costs associated with the issuance of the Series 2026 Bonds.

Section 12. Continuing Disclosure Certificate. The Continuing Disclosure Certificate, in substantially the form submitted to this meeting and made a part hereof as though set forth herein, is hereby approved, and the Authorized Officers are each hereby authorized and directed, for and in the name and on behalf of the District, to execute and deliver the Continuing Disclosure Certificate in substantially said form, as is necessary to cause the requirements of Rule 15c2-12 to be satisfied, with such changes, insertions and omissions as the Authorized Officer executing the same may require or approve, such determination, requirement or approval to be conclusively evidenced by the execution of the Continuing Disclosure Certificate by such Authorized Officer.

Section 13. Preliminary Official Statement. The Preliminary Official Statement to be distributed in connection with the public offering of the Series 2026 Bonds, in substantially the form submitted to this meeting and made a part hereof as though set forth herein, with such changes, insertions and omissions as may be approved by an Authorized Officer, is hereby approved, and the use of such Preliminary Official Statement by the Underwriter in connection with the offering and sale of the Series 2026 Bonds is hereby authorized and approved. The Authorized Officers are each hereby authorized to certify on behalf of the District that such Preliminary Official Statement is deemed final as of its date, within the meaning of Rule 15c2-12 (except for the omission of certain final pricing, rating and related information as permitted by Rule 15c2-12). If and to the extent it is necessary to make substantial changes to the Preliminary Official Statement prior to the offering and sale of the Series 2026 Bonds, the use of the Preliminary Official Statement by the Underwriter in connection with the offering and sale of the Series 2026 Bonds, and the certification of its finality within the meaning of Rule 15c2-12 by an Authorized Officer, shall follow the distribution to the Board of Education of a revised draft of the Preliminary Official Statement with accompanying directions and instructions to members of the Board of Education to review the revised Preliminary Official Statement and provide comments to such Authorized Officer.

Section 14. Official Statement. The preparation and delivery of an Official Statement with respect to the Series 2026 Bonds, and its use by the Underwriter in connection with the offering and sale of the Series 2026 Bonds, is hereby authorized and approved. Such Official Statement shall be in substantially the form of the Preliminary Official Statement distributed in connection with the public offering of the Series 2026 Bonds with such changes, insertions and omissions as may be approved by an Authorized Officer, such approval to be conclusively evidenced by the execution and delivery thereof. The Authorized Officers are each hereby authorized and directed, for and in the name of and on behalf of the District, to execute the final Official Statement with respect to the Series 2026 Bonds and any amendment or supplement thereto and thereupon to cause such final Official Statement and any such amendment or supplement to be delivered to the Underwriter.

Section 15. Investment of Proceeds. (a) *Deposit of Proceeds.* As provided in subsection (g) of Section 15146 of the California Education Code, (i) except as permitted by subsections (h), (i) or (j) of Section 15146 of the California Education Code, the proceeds of the sale of the Series 2026 Bonds, exclusive of any premium or accrued interest received by the District, shall be deposited in the County treasury to the credit of the building fund of the District established for the Series 2026 Bonds, (ii) the proceeds deposited in the building fund of the District established for the Series 2026 Bonds shall be drawn out as other school monies are drawn out, and (iii) the bond proceeds withdrawn shall not be applied to any purposes other than those for which the Series 2026 Bonds were issued. In accordance with subsection (g) of Section 15146 of the California Education Code, at no time shall the proceeds of the Series 2026 Bonds be withdrawn by the District for investment outside the County treasury. Amounts in the building fund of the District established for the Series 2026 Bonds shall be invested so as to be available for the aforementioned disbursements and the District shall keep a written record of such disbursements. Pursuant to subsection (g) of Section 15146 of the California Education Code, any premium or accrued interest received by the District from the sale of the Series 2026 Bonds, shall be deposited in the interest and sinking fund of the District established for the Series 2026 Bonds.

(b) *Investment of Proceeds.* All funds held in the interest and sinking fund of the District established for the Series 2026 Bonds shall be invested at the discretion of the Treasurer of the County pursuant to State law, including California Government Code Section 53601 *et. seq.*, and the investment policy of the County, as either may be amended or supplemented from time to time. Proceeds of the Series 2026 Bonds held in the building fund of the District established for the Series 2026 Bonds shall be invested at the discretion of the Treasurer of the County pursuant to State law, including California Government Code Section 53601 *et. seq.,* and the investment policy of the County, as either may be amended or supplemented from time to time.

(c) *Investment Agreements.* To the extent permitted by law, at the written request of an Authorized Officer, each of whom is hereby expressly authorized to make such request, all or any portion of the building fund of the District established for the Series 2026 Bonds may be invested on behalf of the District, in investment agreements, including guaranteed investment contracts, float contracts or other investment products (collectively, "Investment Agreements"), which comply with the requirements of each rating agency then rating the Series 2026 Bonds necessary in order to maintain the then-current rating on the Series 2026 Bonds. Pursuant to Section 5922 of the California Government Code, the Board of Education hereby finds and determines that the Investment Agreements will reduce the amount and duration of interest rate risk with respect to amounts invested pursuant to the Investment Agreements and are designed to reduce the amount or duration of payment, rate, spread or similar risk or result in a lower cost of borrowing when used in combination with the Series 2026 Bonds or enhance the relationship between risk and return with respect to investments of proceeds of the Series 2026 Bonds and funds held to pay the Series 2026 Bonds.

Section 16. Tax Covenants. (a) *General.* The District shall not take any action, or fail to take any action, if such action or failure to take such action would adversely affect the exclusion from gross income of the interest payable on any Tax-Exempt Series 2026 Bonds under Section 103 of the Code. Without limiting the generality of the foregoing, the District hereby covenants that it will comply with the requirements of the Tax Certificate to be executed by the District on

the date of issuance of any Tax-Exempt Series 2026 Bonds. The provisions of this subsection (a) shall survive payment in full or defeasance of the Series 2026 Bonds.

(b) *Yield Restriction.* In the event that at any time the District is of the opinion that for purposes of this Section it is necessary or helpful to restrict or limit the yield on the investment of any monies held by the Treasurer of the County on behalf of the District, in accordance with this Resolution or pursuant to law, the District shall so request of the Treasurer of the County in writing, and the District shall make its best efforts to ensure that the Treasurer of the County shall take such action as may be necessary in accordance with such instructions.

(c) *Reliance on Opinion of Bond Counsel.* Notwithstanding any provision of this Section, if the District shall provide to the Treasurer of the County an Opinion of Bond Counsel that any specified action required under this Section is no longer required or that some further or different action is required to maintain the exclusion from federal income tax of interest on any Tax-Exempt Series 2026 Bonds under Section 103 of the Code, the Treasurer of the County may conclusively rely on such Opinion of Bond Counsel in complying with the requirements of this Section and the Tax Certificate, and the covenants hereunder shall be deemed to be modified to that extent.

Section 17. Professional Services. Isom Advisors, a Division of Urban Futures, Inc. shall serve as Municipal Advisor to the District for the Series 2026 Bonds. Orrick, Herrington & Sutcliffe LLP shall serve as bond counsel and disclosure counsel to the District for the Series 2026 Bonds. RBC Capital Markets, LLC, shall serve as Underwriter for the Series 2026 Bonds.

Section 18. Delegation of Authority. The Authorized Officers are, and each of them is, hereby authorized and directed, jointly and severally, to execute and deliver, for and on behalf of the District, any and all agreements, documents, certificates and instruments, and to do and cause to be done any and all things, which they may deem necessary or advisable in order to consummate the transactions herein authorized and otherwise to carry out, give effect to and comply with the terms and intent of this Resolution, including, without limitation negotiating the terms of the insurance policy, if any, referred to herein.

Section 19. Approval of Actions. All actions heretofore taken by the officers, employees and agents of the District with respect to the issuance and sale of the Series 2026 Bonds, or in connection with or related to any of the agreements, documents, certificates or instruments referred to herein, are hereby approved, confirmed and ratified.

Section 20. Debt Management Policy; Notice to California Debt and Investment Advisory Commission. With the passage of this Resolution, the Board of Education hereby certifies that the Debt Management Policy complies with California Government Code Section 8855(i), and that the Series 2026 Bonds authorized to be issued pursuant to this Resolution are consistent with such policy, and instructs Bond Counsel, on behalf of the District, with respect to each series of Series 2026 Bonds issued pursuant to this Resolution, (a) to cause notices of the proposed sale and final sale of the Series 2026 Bonds to be filed in a timely manner with the California Debt and Investment Advisory Commission pursuant to California Government Code Section 8855, and (b) to check, on behalf of the District, the "Yes" box relating to such

certifications in the notice of proposed sale filed pursuant to California Government Code Section 8855.

Section 21. Electronic Signatures; DocuSign. The Board of Education hereby approves the execution and delivery of all agreements, documents, certificates and instruments referred to herein with electronic signatures as may be permitted under the California Uniform Electronic Transactions Act and digital signatures as may be permitted under Section 16.5 of the California Government Code using DocuSign.

Section 22. Filing with County. The Superintendent, or such other officer or employee of the District as the Superintendent may designate, is hereby authorized and directed to report to the Auditor-Controller of the County the final terms of sale of the Series 2026 Bonds, and to file with the Auditor-Controller and with the Treasurer of the County a copy of the executed Bond Purchase Agreement and this Resolution, and the schedule of amortization of the principal of and payment of interest on the Series 2026 Bonds, and to file with the Treasurer of the County a proposed schedule of draws on the building fund of the District established for the Series 2026 Bonds, and this Resolution shall serve as the notice required to be given by Section 15140(c) of the California Education Code and as the District's request to the Auditor-Controller of the County and the Board of Supervisors of the County to propose and adopt in each year a tax rate applicable to all taxable property of the District for payment of the Series 2026 Bonds, pursuant to law; and to the other officers of the County to levy and collect said taxes for the payment of the Series 2026 Bonds, to pay in a timely manner to the Paying Agent on behalf of the Owners of the Series 2026 Bonds the principal, interest, and premium, if any, due on the Series 2026 Bonds in each year, and to create in the County treasury to the credit of the District a building fund and an interest and sinking fund for the Series 2026 Bonds pursuant to Section 15146 of the California Education Code.

Section 23. Contract with Bondholders. The provisions of this Resolution shall be a contract with each and every Owner of Bonds and the duties of the District and of the Board of Education and the officers of the District shall be enforceable by any Owner of Bonds by mandamus or other appropriate suit, action or proceeding in any court of competent jurisdiction.

Section 24. Amendments. This Resolution may be modified or amended without the consent of the Owners of the Series 2026 Bonds (a) to add to the covenants and agreements of the District in this Resolution contained other covenants and agreements thereafter to be observed or to surrender any right or power herein reserved to or conferred upon the District, (b) to make such provisions for the purpose of curing any ambiguity, inconsistency or omission, or of curing or correcting any defective provision contained in this Resolution, (c) to permit the qualification of this Resolution under the Trust Indenture Act of 1939, as amended, or any similar federal statute hereafter in effect, and to add such other terms, conditions and provisions as may be permitted by said act or similar federal statute, (d) to cause interest on any Tax-Exempt Series 2026 Bonds to be excludable from gross income for purposes of federal income taxation by the United States of America; and (e) in any other respect whatsoever as the District may deem necessary or desirable, provided that such modification or amendment does not, as set forth in a written certificate of the District, materially adversely affect the interests of the Owners hereunder. For any other purpose, this Resolution may be modified or amended only with the consent of the Owners of a majority of the aggregate principal amount of all Series 2026 Bonds then outstanding; provided that any such

modification or amendment to Section 6(f) or Section 23 shall require the consent of the Owners of a majority of the aggregate principal amount of all Bonds then outstanding. No such modification or amendment shall extend the maturity of, reduce the interest rate or redemption premium on or principal amount of any Series 2026 Bond or reduce the percentage of consent required for amendment hereof without the express consent of all the Owners so affected.

Section 25. Indemnification of County. The District shall indemnify and hold harmless, to the extent permitted by law, the County and its officers and employees ("Indemnified Parties"), against any and all losses, claims, damages or liabilities, joint or several, to which such Indemnified Parties may become subject because of action or inaction related to the adoption of any resolution by the Board of Supervisors of the County authorizing the District to issue and sell the Series 2026 Bonds without the further action of the Board of Supervisors pursuant to Sections 15140 and 15146 of the California Education Code, as permitted by Section 53508.7 of the California Government Code. The District shall also reimburse any such Indemnified Parties for any legal or other expenses incurred in connection with investigating or defending any such claims or actions.

Section 26. Interpretation. The terms of this Resolution shall be interpreted broadly to effect the purpose of providing broad and clear authority for the officers and employees of the District to provide for the issuance of, and issue, the Series 2026 Bonds in accordance with the provisions of the agreements, documents, certificates and instruments described herein on the terms set forth in this Resolution.

Section 27. Effective Date. This Resolution shall take effect from and after its date of adoption.

PASSED AND ADOPTED this day, January 14, 2026.

President of the Board of Education
of the Brentwood Union School District

ATTEST:

Clerk of the Board of Education
of the Brentwood Union School District

EXHIBIT A

GOOD FAITH ESTIMATES

The good faith estimates set forth herein are provided with respect to the Series 2026 Bonds in compliance with Section 15146(b)(1)(D) of the California Education Code and Section 5852.1 of the California Government Code. Such good faith estimates have been provided to the District by Isom Advisors, a Division of Urban Futures, Inc., as the District's financial advisor under California Education Code Section 15146(b)(1)(C) and the District's municipal advisor under Section 15B of the Securities Exchange Act of 1934 (the "Municipal Advisor"), and by RBC Capital Markets, LLC, the underwriter of the Series 2026 Bonds (the "Underwriter").

Principal Amount. The Municipal Advisor and the Underwriter have informed the District that, based on the District's financing plan and market conditions prevailing at the time of preparation of such estimate, their good faith estimate of the aggregate principal amount of the Series 2026 Bonds to be sold in a public offering is $6,000,000 (the "Estimated Principal Amount").

True Interest Cost of the Series 2026 Bonds. The Municipal Advisor and the Underwriter have informed the District that, assuming that the Estimated Principal Amount of the Series 2026 Bonds is sold, and based on market conditions prevailing at the time of preparation of such estimate, their good faith estimate of the true interest cost of the Series 2026 Bonds, which means the rate necessary to discount the amounts payable on the respective principal and interest payment dates to the purchase price received for the Series 2026 Bonds, is 4.81%.

Finance Charge of the Series 2026 Bonds. The Municipal Advisor and the Underwriter have informed the District that, assuming that the Estimated Principal Amount of the Series 2026 Bonds is sold, and based on market conditions prevailing at the time of preparation of such estimate, their good faith estimate of the finance charge for the Series 2026 Bonds, which means the sum of all fees and charges paid to third parties (or costs associated with the Series 2026 Bonds), is $185,000, as follows:

a)	Underwriter's Discount	$30,000
b)	Credit Enhancement*	--
c)	Bond Counsel and Disbursements	42,500
d)	Disclosure Counsel and Disbursements	25,000
e)	Municipal Advisor and Disbursements	46,250
f)	Rating Agency	22,500
g)	Other Expenses	13,750

* A municipal bond insurance policy with respect to the Series 2026 Bonds may obtained if economically advantageous to the District.

Amount of Proceeds to be Received. The Municipal Advisor and the Underwriter have informed the District that, assuming that the Estimated Principal Amount of the Series 2026 Bonds is sold, and based on market conditions prevailing at the time of preparation of such estimate, their good faith estimate of the amount of proceeds expected to be received by the District for sale of

the Series 2026 Bonds, less the finance charge of the Series 2026 Bonds, as estimated above, and any reserves or capitalized interest paid or funded with proceeds of the Series 2026 Bonds, is $5,845,000.

Total Payment Amount. The Municipal Advisor and the Underwriter have informed the District that, assuming that the Estimated Principal Amount of the Series 2026 Bonds is sold, and based on market conditions prevailing at the time of preparation of such estimate, their good faith estimate of the total payment amount, which means the sum total of all payments the District will make to pay debt service on the Series 2026 Bonds, plus the estimated finance charge for the Series 2026 Bonds, as described above, not paid with the proceeds of the Series 2026 Bonds, calculated to the final maturity of the Series 2026 Bonds, is $13,680,819.

The foregoing estimates constitute good faith estimates only and are based on market conditions prevailing at the time of preparation of such estimates. The actual principal amount of the Series 2026 Bonds issued and sold, the true interest cost thereof, the finance charges thereof, the amount of proceeds received therefrom and total payment amount with respect thereto may differ from such good faith estimates for a variety of reasons, including, without limitation, due to (a) the market conditions prevailing on the actual date of the sale of the Series 2026 Bonds being different than the market conditions prevailing at the time of preparation of the estimates contained herein, (b) the actual principal amount of Series 2026 Bonds sold being different from the Estimated Principal Amount, (c) the actual amortization of the Series 2026 Bonds being different than the amortization assumed for purposes of preparing the estimates contained herein, (d) the actual interest rates at which the Series 2026 Bonds are sold being different than those estimated for purposes of preparing the estimates contained herein, (e) other market conditions, or (f) alterations in the District's financing plan, or a combination of such factors. The actual date of sale of the Series 2026 Bonds and the actual principal amount of Series 2026 Bonds sold will be determined by the District based on the need for project funds and other factors. The actual interest rates borne by the Series 2026 Bonds will depend on market conditions at the time of sale thereof. The actual amortization of the Series 2026 Bonds will also depend, in part, on market conditions at the time of sale thereof. Market conditions, including, without limitation, interest rates are affected by economic and other factors beyond the control of the District, the Municipal Advisor and the Underwriter. The Board of Education has approved the issuance of the Series 2026 Bonds with a maximum true interest cost of 6.00%.

EXHIBIT B

FORM OF SERIES 2026 BOND

Number	**UNITED STATES OF AMERICA**	**Amount**
R-__	**STATE OF CALIFORNIA**	**$_____**
	COUNTY OF CONTRA COSTA	

BRENTWOOD UNION SCHOOL DISTRICT
(CONTRA COSTA COUNTY, CALIFORNIA)
GENERAL OBLIGATION BONDS, ELECTION OF 2016, SERIES 2026

Maturity Date	Interest Rate	Dated as of	CUSIP No.
August 1, 20__	____%	_____ __, 20__	_____

Registered Owner: CEDE & CO.

Principal Amount: _____ DOLLARS

Brentwood Union School District, County of Contra Costa, State of California (the "District"), acknowledges itself obligated to and promises to pay to the Registered Owner identified above or registered assigns (the "Registered Owner"), on the Maturity Date set forth above or upon prior redemption hereof, the Principal Amount specified above in lawful money of the United States of America, and to pay interest thereon in like lawful money from the interest payment date next preceding the date of authentication of this Series 2026 Bond (unless this bond is authenticated after the close of business on a Record Date (as defined herein) and on or prior to the succeeding interest payment date, in which event it shall bear interest from such interest payment date, or unless this Series 2026 Bond is authenticated on or before _____ 15, 20__, in which event it shall bear interest from the date hereof) at the Interest Rate per annum stated above, payable commencing on _____ 1, 20__, and thereafter on February 1 and August 1 in each year, until payment of the Principal Amount. This Series 2026 Bond is issued pursuant to a Resolution adopted by the Board of Education of the District on January 14, 2026 (the "Resolution"). Capitalized undefined terms used herein have the meanings ascribed thereto in the Resolution.

The principal hereof is payable to the Registered Owner hereof upon the surrender hereof at the principal corporate trust office of U.S. Bank Trust Company, National Association, the paying agent/registrar and transfer agent of the District (the "Paying Agent"). Interest shall be computed on the basis of a 360-day year comprised of twelve 30-day months. The interest hereon is payable to the person whose name appears on the bond registration books of the Paying Agent as the Registered Owner hereof as of the close of business on the 15th day of the month preceding an interest payment date (the "Record Date"), whether or not such day is a business day, such interest to be paid by check or draft mailed to such Registered Owner at the owner's address as it appears on such registration books, or at such other address filed with the Paying Agent for that purpose. Upon written request, given no later than the Record Date immediately preceding an interest payment date, of the owner of Series 2026 Bonds aggregating at least $1,000,000 in

principal amount, interest will be paid by wire transfer in immediately available funds to an account maintained in the United States as specified by the Registered Owner in such request. So long as Cede & Co. or its registered assigns shall be the Registered Owner of this Series 2026 Bond, payment shall be made in immediately available funds as provided in the Resolution hereinafter described.

This Series 2026 Bond is one of a duly authorized issue of bonds of like tenor (except for such variations, if any, as may be required to designate varying series, numbers, denominations, interest rates, interest payment modes, maturities and redemption provisions), in the aggregate principal amount of $_____, and designated as "Brentwood Union School District (Contra Costa County, California) General Obligation Bonds, Election of 2016, Series 2026" (the "Series 2026 Bonds"). The Series 2026 Bonds were authorized by a vote of at least 55% percent of the voters voting at an election duly and legally called, held and conducted in the District on June 7, 2016. The Series 2026 Bonds are issued and sold by the Board of Education of the District pursuant to and in strict conformity with the provisions of the Constitution and laws of the State, and of the Resolution, and subject to the more particular terms specified in the Bond Purchase Agreement, dated _____, 2026 (the "Bond Purchase Agreement"), by and between the District and RBC Capital Markets, LLC, as underwriter.

The Series 2026 Bonds are issuable as fully registered bonds without coupons in the denomination of $5,000 principal amount or any integral multiple thereof, provided that no Series 2026 Bond shall have principal maturing on more than one principal maturity date. Subject to the limitations and conditions and upon payment of the charges, if any, as provided in the Resolution, Series 2026 Bonds may be exchanged for a like aggregate principal amount of Series 2026 Bonds of the same tenor, interest payment mode, and maturity of other authorized denominations.

This Series 2026 Bond is transferable by the Registered Owner hereof, in person or by attorney duly authorized in writing, at the principal corporate trust office of the Paying Agent, but only in the manner, subject to the limitations and upon payment of the charges provided in the Resolution, and upon surrender and cancellation of this Series 2026 Bond. Upon such transfer, a new Series 2026 Bond or Series 2026 Bonds of authorized denomination or denominations of the same tenor, interest payment mode, and same aggregate principal amount will be issued to the transferee in exchange herefor.

The District and the Paying Agent may treat the Registered Owner hereof as the absolute owner hereof for all purposes, and the District and the Paying Agent shall not be affected by any notice to the contrary.

[The Series 2026 Bonds are subject to optional and mandatory sinking fund redemption on the terms and subject to the conditions specified in the Resolution and the Bond Purchase Agreement. If this Series 2026 Bond is called for redemption and payment is duly provided therefor, interest shall cease to accrue hereon from and after the date fixed for redemption.]

The Board of Education of the District hereby certifies and declares that the total amount of indebtedness of the District, including the amount of this Series 2026 Bond, is within the limit provided by law; that all acts, conditions and things required by law to be done or performed precedent to and in the issuance of this Series 2026 Bond have been done and performed in strict

conformity with the laws authorizing the issuance of this Series 2026 Bond; and that this Series 2026 Bond is in substantially the form prescribed by order of the Board of Education of the District duly made and entered on its minutes. The Series 2026 Bonds represent an obligation payable out of the interest and sinking fund of the District established for the Series 2026 Bonds, and the money for the payment of principal of, premium, if any, and interest hereon, shall be raised by taxation upon the taxable property of the District.

Unless this Series 2026 Bond is presented by an authorized representative of The Depository Trust Company, a New York corporation ("DTC"), to the Paying Agent for registration of transfer, exchange, or payment, and any Series 2026 Bond issued is registered in the name of Cede & Co. or in such other name as is requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other entity as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE, OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the Registered Owner hereof, Cede & Co., has an interest herein.

This Series 2026 Bond shall not be entitled to any benefit under the Resolution, or become valid or obligatory for any purpose, until the certificate of authentication and registration hereon endorsed shall have been signed by the Paying Agent.

IN WITNESS WHEREOF, the Board of Education of the Brentwood Union School District, County of Contra Costa, State of California, has caused this Series 2026 Bond to be signed by its President and countersigned by the Clerk of said Board, as of the date set forth above.

_____

President of the Board of Education of the
Brentwood Union School District

Countersigned:

_____

Clerk of the Board of Education of the
Brentwood Union School District

CERTIFICATE OF AUTHENTICATION AND REGISTRATION

This is one of the Series 2026 Bonds described in the within-mentioned Resolution and authenticated and registered on _____.

U.S. BANK TRUST COMPANY, NATIONAL ASSOCIATION, AS PAYING AGENT

By: _____
Authorized Officer

ASSIGNMENT

For value received the undersigned do(es) hereby sell, assign and transfer unto _____ the within-mentioned Series 2026 Bond and hereby irrevocably constitute(s) and appoint(s) _____ attorney, to transfer the same on the books of the Paying Agent with full power of substitution in the premises.

_____
I.D. Number

_____
Note: The signature(s) on this Assignment must correspond with the name(s) as written on the face of the within Series 2026 Bond in every particular, without alteration or enlargement or any change whatsoever.

Dated: _____

Signature Guarantee: _____
Note: Signature must be guaranteed by an eligible guarantor institution.

CLERK'S CERTIFICATE

I, Steve Gursky, Clerk of the Board of Education of the Brentwood Union School District, County of Contra Costa, California, hereby certify that the foregoing is a full, true and correct copy of a resolution duly adopted at a regular meeting of the Board of Education of said District held at the regular meeting place thereof on January 14, 2026, and entered in the minutes thereof, of which meeting all of the members of the Board of Education had due notice and at which a quorum thereof was present, and that at said meeting the resolution was adopted by the following vote:

AYES: 3

NOES: 0

ABSTAIN: 0

ABSENT: 2

An agenda of the meeting was posted at least 72 hours before the meeting at 255 Guthrie Lane, Brentwood, a location freely accessible to members of the public, and on the District's website at https://www.brentwood.k12.ca.us/o/busd/page/meeting-schedules-and-minutes, and a brief description of the resolution appeared on the agenda.

I further certify that I have carefully compared the same with the original minutes of said meeting on file and of record in the District administrative office; the foregoing resolution is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes; and that said resolution has not been amended, modified or rescinded since the date of its adoption, and the same is now in full force and effect.

Dated: January 14, 2026

Stephen Gursky

Clerk of the Board of Education of
Brentwood Union School District

4164-4401-1363.3

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 26-529 **Agenda Date:** 2/10/2026 **Agenda #:** C.19.

To: Board of Supervisors

From: Diana Becton, District Attorney

Report Title: California Office of Traffic Safety Alcohol and Drug Impaired Driver Vertical Prosecution Program Grant Application

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the District Attorney, or designee, to apply for and accept the Alcohol and Drug Impaired Driver Vertical Prosecution Program grant, from the California Office of Traffic Safety, in an amount not to exceed $832,901, for a specialized team to prosecute alcohol and drug impaired driving cases for the period October 1, 2026 through September 30, 2027.

FISCAL IMPACT:
County will receive up to $832,901 from the State over the grant period. No match is required.

BACKGROUND:
The Contra Costa County District Attorney's Office seeks Board approval to apply for and accept the Alcohol and Drug Impaired Driver Vertical Prosecution Program grant administered by the California Office of Traffic Safety. If awarded, the District Attorney's Office will assign a specialized DUI vertical prosecution team to prosecute alcohol and drug impaired driving cases. The DUI vertical prosecution team will handle cases throughout each step of the criminal process. Prosecution team members will work to increase the capabilities of the team and the office by obtaining and delivering specialized training. Team members will share information with peers and law enforcement personnel throughout the county and across the state. The office will accomplish these objectives to prevent impaired driving and reduce alcohol and drug-involved traffic fatalities and injuries.

In addition, by implementing the vertical prosecution model, the District Attorney's Office will provide sustainable prosecution to hold offenders accountable, conduct effective community outreach on preventable activities and engage in broader public education through the Office's podcast, The Cross-Examination, the Community Academy and other platforms to deter driving under the influence in Contra Costa County.

CONSEQUENCE OF NEGATIVE ACTION:
If unapproved, the District Attorney's Office will be unable to apply for and accept the grant.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: RES 2026-36 **Agenda Date:** 2/10/2026 **Agenda #:** C.20.

To: **Board of Supervisors**

From: Marla Stuart, Employment and Human Services Director

Report Title: 39-806-62 State of California Department of Community Services Development, Low Income Home Energy Assistance Program

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

ADOPT a Resolution to approve and authorize the Employment and Human Services Director, or designee, to execute a revenue agreement with the State of California Department of Community Services and Development, in an amount not to exceed $3,980,391 for the Low Income Home Energy Assistance Program for the period November 1, 2025, through June 30, 2027, and to authorize the approval of future amendments thereof during the term of the agreement, subject to County Counsel and County Administrator approval, that allow the total funding amount to increase up to $5,649,608 with no other changes to the agreement.

FISCAL IMPACT:

100% Federal, of which $1,592,156 is budgeted in FY 25-26 and $2,388,235 will be budgeted in FY 26-27, with the possibility to increase funding up to $5,649,608, which will be budgeted in FY 26-27.

BACKGROUND:

On January 14, 2025, the Board approved item C.38 authorizing revenue agreement 25B-3005 with the State Department of Community Services and Development (CSD) in the amount of $4,142,538 for the term November 1, 2024, to June 30, 2026. On June 24, 2025, the Board approved item C.47 to amend agreement 25B-3005 to increase funding by $1,257,070 for an amount not exceeding $5,399,608 with no change to term.

The Employment and Human Services Department (EHSD) received notification from CSD on December 10, 2025, to execute the 2026 Low Income Home Energy Assistance Program (LIHEAP) agreement 26B-4005.

This action is to accept $3,980,391 and to authorize approval of any amendments during the 2026-2027 agreement term, allowing the total funding amount to increase up to $5,649,608 for the agreement term.

The County routinely receives funding from CSD wherein Contra Costa County provides energy bill assistance payments and/or Weatherization services to residents who are income eligible through LIHEAP and the Energy Crisis Intervention Program (ECIP). The priority for services is to those households with the lowest income and highest energy burden. LIHEAP priority is to serve households with the following vulnerable populations:

young children (ages five [5] years or under), disabled, and elderly persons (ages 60 years or older). LIHEAP is operated by the EHSD, Community Services Bureau.

CONSEQUENCE OF NEGATIVE ACTION:

Should the proposed action not be approved by the Board of Supervisors, the County will not be able to receive funding to support the LHEAP initiative in Contra Costa County.

CHILDREN'S IMPACT STATEMENT:

This Agreement supports the fourth community outcome of the Children's Report Card: (4) "Families that are Safe, Stable and Nurturing."

THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA

and for Special Districts, Agencies and Authorities Governed by the Board

IN THE MATTER OF 2026-2027 State of California Department of Community Services and Development, Low Income Home Energy Assistance Program Agreement 26B-4005.

WHEREAS, the Employment and Human Services Department (EHSD) received notification from the State Department of Community Services and Development (CSD) on December 10, 2025, to execute the 2026 Low Income Home Energy Assistance Program (LIHEAP) Agreement 26B-4005, and

WHEREAS, the County routinely receives funding from CSD wherein Contra Costa County provides energy bill assistance payments and/or weatherization services to residents who are income eligible through LIHEAP and the Energy Crisis Intervention Program (ECIP), and

WHEREAS, the program offers energy saving measures to Contra Costa residents to assist with home energy efficiency, and

WHEREAS, residents may also qualify for the Utility Assistance Program, which provides credit on their energy bills, and

WHEREAS, first priority for services is to those households with the lowest income and highest energy burden, and

WHEREAS, first priority is to service those households with the following vulnerable populations: young children (ages 5 years or under), disabled, and elderly persons (ages 60 years or older).

NOW, THEREFORE, BE IT RESOLVED the Contra Costa County Board of Supervisors adopt a Resolution to approve and authorize the Employment and Human Services Director, or designee, to execute a revenue

agreement with the State of California Department of Community Services and Development, in an amount not to exceed $3,980,391 for the Low Income Home Energy Assistance Program and authorize the approval of future amendments thereof, subject to County Counsel and County Administrator approval, allowing the total funding amount to increase up to $5,649,608 for the period November 1, 2025 through June 30, 2027.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 26-530 **Agenda Date:** 2/10/2026 **Agenda #:** C.21.

To: Board of Supervisors

From: Marla Stuart, Employment and Human Services Director

Report Title: Purchase Order 20-644-1 Park Place Technologies, LLC

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

APPROVE and AUTHORIZE the Purchasing Agent, or designee, to execute on behalf of the Employment and Human Services Director, a contract with Park Place Technologies LLC, in an amount not to exceed $36,427 for the purchase of VMware technical support, for the period March 1, 2026, through February 29, 2028.

FISCAL IMPACT:

54% Federal, 38% State, 8% County General Fund, in which four (4) months is in FY 25/26, twelve (12) months is in FY 26/27 and eight (8) months is in FY 27/28.

BACKGROUND:

Employment and Human Services Department (EHSD) is seeking to renew their VMware support with Park Place Technologies LLC. VMware is a virtual machine management system that is used to manage EHSD's 180+ virtual servers. Park Place Technologies LLC General Terms and Conditions License Agreement includes a limitation of liability that caps liability at the amount of fees paid in the twelve (12) months prior to any claim arising. This vendor was selected per procurement requirements outlined in Administrative Bulletin 600.3.

CHILDREN'S IMPACT STATEMENT:

This purchase order supports all five (5) of the community outcomes established in the Children's Report Card: (1) "Children Ready for and Succeeding in School"; (2) "Children and Youth Healthy and Preparing for Productive Adulthood"; (3)"Families that are Economically Self-Sufficient"; (4) "Families that are Safe, Stable and Nurturing"; and (5) "Communities that are Safe and Provide a High Quality of Life for Children and Families," by supporting staff working directly with families and children.

CONSEQUENCE OF NEGATIVE ACTION:

The County will be limited in providing virtual serve infrastructure to build virtual servers for all EHSD staff.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 26-531 **Agenda Date:** 2/10/2026 **Agenda #:** C.22.

To: Board of Supervisors

From: Marla Stuart, Employment and Human Services Director

Report Title: Contract # 20-553-1 Wayfinder Family Services Amendment

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract amendment with Wayfinder Family Services, to increase the payment limit by $58,751 to a new payment limit not to exceed $1,100,841 to provide additional emergency needs and/or concrete direct assistance support for Kinship Families and Caregivers through the Wayfinder Family Services, Kinship Support Services Program in East Contra Costa County with no change to term July 1, 2024, through June 30, 2026.

FISCAL IMPACT:

Upon approval of the contract amendment the contract will be funded 95% State and 5% Federal. Funds for the contract amendment are 100% Federal. This is budgeted in FY 25/26.

BACKGROUND:

In September 2025, the California Department of Social Services released All County Information Notice (ACIN) Number I-47-25 announcing the release of the final American Rescue Plan Act of 2021, Community-Based Child Abuse Prevention (ARPA-CBCAP) supplemental grant funds to counties with a Title IV-E Agreement with the State. Contra Costa County received a final allocation in the amount of $59,857, of which with the Board's approval of this contract amendment, $58,751 is being utilized in alignment with ACIN I-47-25 to increase the payment limit of the Wayfinder Family Services contract to provide additional emergency needs and/or concrete direct assistance support for relative caregivers and the dependent children placed in their homes by the juvenile court, as well as for those who are at risk of dependency or delinquency support prevention services.

The Board of Supervisors approved the prior contract for Kinship Support Services Program services awarded through Request for Proposal #1203 on June 25, 2024, for FY24-26.

CONSEQUENCE OF NEGATIVE ACTION:

Should the proposed action not be approved by the Board of Supervisors, the County will not be able to provide additional supports to relative caregivers in successfully raising their kin, increase positive outcomes for at-risk youth, and prevent the removal of children from extended family when the biological parents are unable to provide care.

CHILDREN'S IMPACT STATEMENT:

This contract supports all five of Contra Costa County's community outcomes of the Children's Report Card: (1) "Children Ready for and Succeeding in School"; (2) "Children and Youth Healthy and Preparing for Productive Adulthood"; (3) "Families that are Economically Self-Sufficient"; (4) "Families that are Safe, Stable and Nurturing"; and (5)"Communities that are Safe and Provide a High Quality of Life for Children and Families," by providing residential placement services to youth who have been denied placement and/or cannot live safely in lower level care.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 26-532 **Agenda Date:** 2/10/2026 **Agenda #:** C.23.

To: Board of Supervisors

From: Lewis Broschard, Chief, Contra Costa County Fire Protection District

Report Title: Budget Amendment for 1300 Civic Drive, Walnut Creek

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
Acting as the governing board of the Contra Costa County Fire Protection District, APPROVE Budget Amendment No. BDA-25-00162 appropriating fund balance of $2,900,000 for the purchase of property at 1300 Civic Drive, Walnut Creek.

FISCAL IMPACT:
100% CCCFPD EMS Transport fund balance.

BACKGROUND:
On August 12, 2025, the Board approved the purchase of property at 1300 Civic Drive, Walnut Creek. In the near term, the building will be used by the Fire District for classroom training and other operational support functions. These uses align with the building's current use. The long-term strategic plan is to use this property to replace Fire Station No. 1 with a modern fire station capable of housing multiple crews in the rapidly developing downtown Walnut Creek area.

This budget amendment for fiscal year 2025-26 will allocate the funds for that purchase.

CONSEQUENCE OF NEGATIVE ACTION:
If this action is not approved, the Fire District's budget will not correctly reflect this expenditure.

View Budget Amendment: Budget Amendment: FY 2025-26 - Operating Budget on 02/10/2026 : BDA-25-00162

Company	Contra Costa County
Budget Template	Operating Budget : FY 2025-26 Operating Budget
Budget	FY 2025-26 Operating Budget
Organizing Dimension Type	
Amendment ID	BDA-25-00162
Amendment Date	02/10/2026
Description	Budget adjustment to allocate funds from 7040 Transport Fund Balance to 4019 to purchase property at 1300 Civic Dr, Walnut Creek
Amendment Type	Appropriation / Estimated Revenue Adjustment
Balanced Amendment	Yes
Entry Type	Mid-Year Adjustments
Status	In Progress

Budget Amendment Entries

Period	*Ledger Account/Summary	Home Organization	*Cost Center	*Fund	Debit Amount	Credit Amount	Memo	Exceptions
FY 2025-26 Year (FY 2025-26 Operating Budget)	4019:LAND&BLDG AQUISITION	7300 CCC FIRE PROTECTION (Home Org)	7040 CCCFPD EMS TRANSPORT FUND	204000 CCCFPD EMS TRANSPORT FUND	$2,900,000.00	$0.00	1300 Civic Drive	Warning : - Home Org on Budget Line Not Equal Initiator's Home Org
FY 2025-26 Year (FY 2025-26 Operating Budget)	9990:APPROPRIATED FUND BAL	7300 CCC FIRE PROTECTION (Home Org)	7040 CCCFPD EMS TRANSPORT FUND	204000 CCCFPD EMS TRANSPORT FUND	$0.00	$2,900,000.00	1300 Civic Drive	Warning : - Home Org on Budget Line Not Equal Initiator's Home Org

Process History

Process	Step	Status	Completed On	Due Date	Person (Up to 5)	All Persons	Comment
Budget Amendment Event	Budget Amendment Event	Step Completed	10/27/2025 03:49:37 PM	10/28/2025	Elizabeth Patterson	1	
Budget Amendment Event	Review Budget Amendment	Not Required		10/28/2025		0	
Budget Amendment Event	Approval by Department Approver – Budget Amendment	Approved	10/27/2025 04:55:58 PM		Faye Ny (Department Approver – Budget Amendment)	1	
Budget Amendment Event	Review Budget Amendment	Sent Back	01/15/2026 04:52:40 PM	10/28/2025	Yesenia Campos (Budget Specialist (Auditor Office))	1	Send Back Reason from Yesenia Campos: No response from dept on Board order

Process	Step	Status	Completed On	Due Date	Person (Up to 5)	All Persons	Comment
Budget Amendment Event	Budget Amendment Event	Submitted	01/21/2026 01:54:15 PM	10/28/2025	Elizabeth Patterson	1	
Budget Amendment Event	Review Budget Amendment	Not Required		10/28/2025		0	
Budget Amendment Event	Approval by Department Approver – Budget Amendment	Approved	01/27/2026 04:32:06 PM		Faye Ny (Department Approver – Budget Amendment)	1	
Budget Amendment Event	Review Budget Amendment	Awaiting Action		10/28/2025	Analiza Pinlac (Budget Specialist (Auditor Office))	3	
					Xia Zhang (Budget Specialist (Auditor Office))		
					Yesenia Campos (Budget Specialist (Auditor Office))		

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 26-533 **Agenda Date:** 2/10/2026 **Agenda #:** C.24.

To: Board of Supervisors

From: Lewis Broschard, Chief, Contra Costa County Fire Protection District

Report Title: Information Technology Consulting and Technical Advisory Services for the Construction of the Contra Costa Regional Fire Communications Center.

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
Acting as the governing board of the Contra Costa County Fire Protection District, APPROVE and AUTHORIZE the Fire Chief, or designee, to execute a contract amendment with O3, Inc., to increase the payment limit by $500,000, to a new payment limit of $2,000,000, with no change to the term ending June 30, 2027, for consulting and technical assistance related to Information Technology (IT) infrastructure and network modernization, and IT governance risk management and compliance, for the construction of the new Contra Costa Regional Fire Communications Center.

FISCAL IMPACT:
Budgeted; 100% CCCFPD EMS Transport Fund.

BACKGROUND:
The Contra Costa County Fire Protection District uses many complex IT systems to support its operations. The contractor, O3, Inc., will provide consultation and technical assistance to the District during the construction of the new Contra Costa Regional Fire Communications Center (CCRFCC), modernizing IT infrastructure, ensuring the availability and performance of existing services, and providing a robust platform for future services.

The contractor will also serve as the project manager for modernizing and hardening the District's network infrastructure to ensure the availability, performance, and security of existing network services at the new Contra Costa Regional Fire Communications Center. Governance of enterprise information technology is a major concern for the district's executive management. IT services are now critical to sustaining growth, innovation, and transformation, reducing and containing costs, and supporting the District's ongoing business operations.

CONSEQUENCE OF NEGATIVE ACTION:
The District would have to identify alternative means to complete its ongoing construction project for the CCRFCC, IT infrastructure, network modernization, and IT governance, risk management, and compliance.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 26-534 **Agenda Date:** 2/10/2026 **Agenda #:** C.25.

To: Board of Supervisors

From: Lewis Broschard, Chief, Contra Costa County Fire Protection District

Report Title: Change Order to Blanket Purchase Order for Hazmat Equipment

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
Acting as the governing board of the Contra Costa County Fire Protection District; APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Fire Chief, a purchase order amendment to CON-10005407, with Hazmat Resource, to increase the payment limit by $200,000 to a new payment limit of $440,000 for the acquisition of hazardous materials equipment, personal protective equipment, training devices, technical reference material, and related accessories for the period May 1, 2025 through April 30, 2028.

FISCAL IMPACT:
Budgeted. 100% CCCFPD General Operating Fund.

BACKGROUND:
The release, combustion, or explosion of hazardous materials poses severe risks to public safety, the environment, and property. In response to these dangers, many fire departments have established specialized Hazardous Materials Response Teams. Since 2018, the Contra Costa County Fire Protection District has received critical equipment, training, and funding from the California Office of Emergency Services. In 2021, the district further strengthened its capabilities by acquiring a hazardous materials emergency response vehicle.

Maintaining a consistent stock of hazardous materials response equipment ensures availability when the need arises. Using standardized equipment, as established by state guidelines, ensures interoperability among Hazmat teams across California. Hazmat Resource is one of the few vendors whose products meet both state and national firefighting safety standards.

This is a change to blanket purchase order #CON-10005407, increasing funds by $200,000.

CONSEQUENCE OF NEGATIVE ACTION:
Without this increase to blanket purchase order #CON-10005407, the Fire District will have to identify alternative means to maintain the essential equipment needed to operate its Hazardous Materials Response Team effectively.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 26-535 **Agenda Date:** 2/10/2026 **Agenda #:** C.26.

To: Board of Supervisors

From: Lewis Broschard, Chief, Contra Costa County Fire Protection District

Report Title: GMR/REACH Air Medical Service

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
Acting as the governing board of the Contra Costa County Fire Protection District, APPROVE and AUTHORIZE the Fire Chief to execute a non-financial contract with Global Medical Response (GMR) and REACH Air Medical Service to provide direct dispatching for air ambulance resources, receive logistical air support when requested, provide co-branded aviation resources within the county, and provide the ability to recoup the Fire District costs associated with the partnership.

FISCAL IMPACT:
Approval of this contract would allow CCCFPD to recoup the costs of dispatching and managing the information technology systems used to dispatch the REACH aircraft at Buchanan Field. GMR/REACH would be invoiced $2,500 per month. This agreement does not require the Fire District to make a financial commitment to GMR/REACH.

BACKGROUND:
This is a renewal of a previous agreement under revised terms. The Fire District and REACH/GMR have been parties to a use agreement since 2018. An initial public-private partnership was established to deliver aerial firefighting and rescue capabilities within the CCCFPD jurisdiction, utilizing a cobranded REACH/CCCFPD Helicopter. Ultimately, fire suppression and rescue programs did not materialize as first planned, and those services were discontinued. A portion of that initial agreement involved direct dispatching of the REACH air ambulances by the District's Regional Fire Communications Center, which improved response times for the air ambulance to medical or trauma calls. This new agreement eliminates the fire and rescue components of the original agreement but keeps the branding, dispatching, and working relationships that were successful in the initial agreement. There is no timeframe associated with this contract, as it is open-ended until terminated by either party.

CONSEQUENCE OF NEGATIVE ACTION:
Without this contract, the district would discontinue the aviation aspect of our public-private partnership with REACH/GMR. This would end our close relations with the local air ambulance provider, including direct requests for service to the residents of Contra Costa County. The air ambulance service would remain available; however, longer response and reaction times can be anticipated. The contracted relationship between CCCFPD and GMR/REACH ensures consistent local air resources, with greater CCCFPD input and control.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 26-536 **Agenda Date:** 2/10/2026 **Agenda #:** C.27.

To: Board of Supervisors

From: Lewis Broschard, Chief, Contra Costa County Fire Protection District

Report Title: Purchase of Chainsaws, Circular Saws and Parts for CCCFPD's Wildland/Saw Program through a Sourcewell Participating Addendum

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
Acting as the governing board of the Contra Costa County Fire Protection District, APPROVE and AUTHORIZE the Fire Chief, or designee, to execute a Participating Addendum for Stihl Incorporated, subject to the terms and conditions of the Sourcewell Services Master Agreement #112624, in an amount not to exceed $250,000 for the purchase of chainsaws, circular saws, parts, and other supplies as needed for the Fire District's Wildland/Saw Program, for the period February 1, 2026 through January 31, 2029.

FISCAL IMPACT:
Budgeted. 100% CCCFPD General Operating Fund.

BACKGROUND:
The Fire District's Wildland/Saw Program provides essential tools and equipment for vegetation management, structure protection, and fire suppression. Chainsaws and circular saws are critical for cutting fire lines, clearing access routes, and performing rescue operations during emergencies.

The District previously acquired these tools and parts through an existing Blanket Purchase Order (032327) with Furber Saw, Inc., a local vendor in Martinez, CA. This vendor is no longer in business, thus the District needs to change its procurement.

Several fire stations currently operate saws that have exceeded their recommended service life, resulting in increased maintenance requirements and downtime. As part of the Fire District's annual equipment replacement cycle, these aging tools will be replaced to ensure consistent reliability and performance across all operational stations.

Procurement through the Sourcewell cooperative purchasing agreement with Stihl enables the Fire District to standardize its equipment, streamline maintenance and training, and secure competitive pricing without a separate bid process. This purchase will ensure that each station maintains a full complement of functional, safe, and dependable saws to support daily operations and large-scale wildland fire response.

CONSEQUENCE OF NEGATIVE ACTION:
Without this action, the Fire District will be required to identify alternative means of acquiring saw tools and

parts.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 26-537 **Agenda Date:** 2/10/2026 **Agenda #:** C.28.

To: Board of Supervisors

From: Lewis Broschard, Chief, Contra Costa County Fire Protection District

Report Title: CPS HR Consulting - Promotional Exam Assessments

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
Acting as the governing board of the Contra Costa County Fire Protection District; APPROVE clarification to the Board's November 4, 2025 approval (25-4613), which authorized Contra Costa County Fire Protection District to execute a contract with CPS HR Consulting in an amount not to exceed $400,000 for the period November 1, 2025 through October 31, 2028, to clarify that the contract includes terms and conditions that contain indemnification language.

FISCAL IMPACT:
Budgeted. 100% CCCFPD General Operating Fund.

BACKGROUND:
On November 4, 2025, the Contra Costa County Fire Protection District Board of Directors approved Board Order 25-4613, authorizing the execution of a contract with CPS HR Consulting, not to exceed $400,000, for the period November 1, 2025 through October 31, 2028. Following Board approval, CPS HR Consulting requested the inclusion of Additional Test Rental/Assessment Terms in the final contract. These terms contain indemnification provisions that require the Fire District to indemnify CPS HR Consulting. As a result of this inclusion, the contract requires renewed Board approval to proceed with the execution of the contract, including the additional terms and indemnification.

CONSEQUENCE OF NEGATIVE ACTION:
If this contract is not approved, the Fire District will not have a reliable vendor to administer complex promotional exams.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 26-538 **Agenda Date:** 2/10/2026 **Agenda #:** C.29.

To: Board of Supervisors

From: Lewis Broschard, Chief, Contra Costa County Fire Protection District

Report Title: Communications Center - UPS Units Purchase Request

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
Acting as the governing board of the Contra Costa County Fire Protection District, APPROVE and AUTHORIZE the Fire Chief, or designee, to execute a purchase order with Computer Discount Warehouse - Government (CDWG), in an amount not to exceed $266,838, subject to the terms of the Omnia Mesa cooperative agreement #2024056-01 for the purchase of universal power supply (UPS) units.

FISCAL IMPACT:
Budgeted. 100% CCCFPD EMS Transport Fund. The total purchase price is $242,579. This action is requesting total purchase authority of $266,838 to include a 10% contingency for unforeseen price or cost increases.

BACKGROUND:
On May 14, 2024, the Board of Supervisors awarded a construction contract to Thompson Builders Corporation for the construction of a new fire communications center and a new communications division offices building. This major remodel and construction of the new fire communications center are part of phase one of the overall project, which should be completed in the next few months.

As part of the remodel, the new center will include sixteen new fire dispatch consoles for Fire Dispatchers, with Ambulance System Status Controllers at each console. The equipment at each of the sixteen dispatch consoles is critical to the staff's ability to complete their duties while answering 911 emergency calls for service and subsequently dispatching the appropriate emergency fire and/or ambulance resources to our citizens.

The equipment at each console includes five computer monitors, a radio computer, a 911 phone computer, and other associated equipment. All of this equipment must maintain continuous power at all times, regardless of the power source. The first source of power is PG&E, referred to as primary power. The second source is universal power supply (UPS) devices, referred to as initial emergency backup power. The third source is an on -site generator, referred to as emergency generator backup power. All three of these power sources are essential to ensuring continuous power to the critical equipment at each dispatch console. The UPS power serves as a temporary but critical bridge, providing continuous power from the moment PG&E's primary power is lost until the emergency backup generator activates. The chosen UPS units have been thoroughly researched and will provide initial emergency backup power for up to thirty minutes if needed.

PG&E's primary power is generally reliable, but it can be interrupted for short or long periods during public safety power shutoff (PSPS) events, major wildfires, major wind or rainstorms, and earthquakes.

The board order seeks approval to purchase thirty-two (32) UPS units with extended battery packs and associated software and services for a total of $242,579 from Computer Discount Warehouse - Government (CDWG) under a nationally awarded Omnia Mesa contract #2024056-01. The identified UPS units provide the latest technology and trusted reliability for performance. Approval of this board order is critical to completing this project and to the future operations of the sixteen dispatch consoles in the new fire communications center.

CONSEQUENCE OF NEGATIVE ACTION:
The District would have to identify alternative means to acquire backup power for the emergency communications and computer systems. If this purchase order is not approved, the new fire communications center will not be completed properly, and the critical equipment at each dispatch console will not have consistent redundant power sources.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 26-539 **Agenda Date:** 2/10/2026 **Agenda #:** C.30.

To: Board of Supervisors

From: Lewis Broschard, Chief, Contra Costa County Fire Protection District

Report Title: Cross Connections - BK Technologies

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
Acting as the governing board of the Contra Costa County Fire Protection District, APPROVE and AUTHORIZE the Purchasing Agent, on behalf of the Fire Chief, to execute a purchase order with Cross Connections, an authorized reseller for BK Technology, subject to the terms of the NASPO ValuePoint Master Agreement and the Participating Addendum between BK Technologies, Inc. and the State of Washington, in an amount not to exceed $425,000 for purchase of Public Safety Communication Products, Services and Solutions.

FISCAL IMPACT:
Budgeted. 100% CCCFPD General Fund

BACKGROUND:
The Contra Costa County Fire Protection District needs to procure essential radio equipment maintenance services through a reliable vendor. Cross Connections, which holds a National Association of State Procurement Officials (NASPO) contract, was selected as the vendor for these services through a cooperative purchase agreement. This cooperative procurement avenue allows the Fire District to access pre-negotiated rates, fostering operational efficiency and cost-effective solutions.

Cross Connections was selected based on several critical factors that align with the operational needs of the Fire District. Their NASPO contract allows to procure products at predetermined rates, supporting pre-negotiated competitive pricing. Cross Connections' commitment to exceptional customer service is evidenced by their proactive communication regarding shipment tracking, which is vital for operational planning. They also provide software updates at no additional cost, ensuring the Fire District's systems are both up to date and secure. Notably, Cross Connections has maintained consistent pricing, even during high-demand periods such as the summer fire season, allowing to manage costs effectively.

CONSEQUENCE OF NEGATIVE ACTION:
The Fire District would need to identify alternative methods to replace aging critical public safety communication radios, which would negatively impact public service delivery and the safety of our members.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 26-540 **Agenda Date:** 2/10/2026 **Agenda #:** C.31.

To: Board of Supervisors

From: Lewis Broschard, Chief, Contra Costa County Fire Protection District

Report Title: FY 26 Urban Area Security Initiative Grant - Portable Personal Radiation Detectors

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
Acting as the governing board of the Contra Costa County Fire Protection District, RATIFY the Fire District's grant application; and APPROVE and AUTHORIZE the Fire Chief, or designee, to accept grant funding, if awarded, from the Federal Emergency Management Agency, U.S. Department of Homeland Security, Urban Area Security Initiative (UASI) Grants Program in an amount not to exceed $19,920 for the purchase of eleven portable personal radiation detectors.

FISCAL IMPACT:
The Contra Costa County Fire Protection District (District) could receive up to $19,920 in federal funds if awarded. There is no local agency cost-sharing requirement. The grant award may be lower than the amount requested and will be for a period of one year from the award's effective date.

BACKGROUND:
The FY 2026 Urban Area Security Initiative (UASI) Program assists high-threat, high-density urban areas in building and sustaining the capabilities necessary to prevent, protect against, mitigate, respond to, and recover from acts of terrorism. The UASI program is intended to provide financial assistance to address the unique multi-disciplinary planning, organization, equipment, training, and exercise needs of high-threat, high-density urban areas and to assist these areas in building and sustaining capabilities to prevent, protect against, mitigate, respond to, and recover from threats or acts of terrorism using a "Whole Community" approach. Activities implemented with UASI funds must support terrorism preparedness by building or enhancing capabilities related to the prevention of, protection from, mitigation of, response to, or recovery from terrorism to be considered eligible.

However, many capabilities that support terrorism preparedness simultaneously support preparedness for other hazards. Grantees must demonstrate the dual-use quality for any activities implemented that are not explicitly focused on terrorism preparedness. Urban areas must use UASI funds to employ regional approaches to overall preparedness and are encouraged to adopt regional response structures whenever appropriate. UASI program implementation and governance must include regional partners and should have balanced representation among entities with operational responsibilities for prevention, protection, mitigation, response, and recovery activities within the region.

The Fire District has applied for grant funding to purchase eleven portable personal radiation detectors to

strengthen regional hazardous materials and Chemical, Biological, Radiological, Nuclear, and high-yield Explosives (CBRNE) response capabilities. These devices enable responders to quickly detect and measure ionizing radiation during incidents involving unknown substances, suspicious packages, and potential radiological threats. Field-deployable radiological detection improves situational awareness, reduces uncertainty, and supports informed tactical decisions, enhancing responder and public safety. Integrating this capability across multiple operational areas increases regional readiness to assess, monitor, and respond to radiological hazards as part of all-hazards emergency operations.

In order to meet the grant application deadline, the Fire District submitted this grant application on January 27, 2026, and is requesting the Board to ratify the application of this grant.

CONSEQUENCE OF NEGATIVE ACTION:
The Fire District would not be able to accept this grant nor acquire the equipment.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 26-541 **Agenda Date:** 2/10/2026 **Agenda #:** C.32.

To: Board of Supervisors

From: Lewis Broschard, Chief, Contra Costa County Fire Protection District

Report Title: FY 26 Urban Area Security Initiative Grant - Portable Chemical Identification Analyzer

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
Acting as the governing board of the Contra Costa County Fire Protection District, RATIFY the Fire District's grant application; and APPROVE and AUTHORIZE the Fire Chief, or designee, to accept grant funding, if awarded, from the Federal Emergency Management Agency, U.S. Department of Homeland Security, Urban Area Security Initiative (UASI) Grants Program in an amount not to exceed $205,232 for the purchase of a portable chemical identification analyzer.

FISCAL IMPACT:
The Contra Costa County Fire Protection District (District) could receive up to $205,232 in federal funds if awarded, from the Federal Emergency Management Agency, U.S. Department of Homeland Security. There is no local agency cost-sharing requirement. The grant award may be lower than the amount requested and will be for a period of one year from the award's effective date.

BACKGROUND:
The FY 2026 Urban Area Security Initiative (UASI) Program assists high-threat, high-density urban areas in building and sustaining the capabilities necessary to prevent, protect against, mitigate, respond to, and recover from acts of terrorism. The UASI program is intended to provide financial assistance to address the unique multi-disciplinary planning, organization, equipment, training, and exercise needs of high-threat, high-density urban areas and to assist these areas in building and sustaining capabilities to prevent, protect against, mitigate, respond to, and recover from threats or acts of terrorism using a "Whole Community" approach. Activities implemented with UASI funds must support terrorism preparedness by building or enhancing capabilities that relate to the prevention of, protection from, mitigation of, response to or recovery from terrorism in order to be considered eligible.

However, many capabilities that support terrorism preparedness also support preparedness for other hazards. Grantees must demonstrate dual use for any activities implemented that are not explicitly focused on terrorism preparedness. Urban areas must use UASI funds to implement regional approaches to overall preparedness and are encouraged to adopt regional response structures whenever appropriate. UASI program implementation and governance must include regional partners and should provide balanced representation among entities with operational responsibilities for prevention, protection, mitigation, response, and recovery within the region.

The Fire District has applied for grant funding to purchase a portable chemical identification device to support

its hazardous materials response program. The device will enable responders to rapidly identify unknown solid and liquid substances at incident scenes without waiting for off-site laboratory analysis. This capability will improve responder and public safety by reducing uncertainty, guiding appropriate personal protective equipment and mitigation actions, and supporting faster, more informed tactical decisions. The device will be used during hazardous materials incidents, unknown substance calls, suspicious powder investigations, and other chemical-related emergencies to reduce incident duration, improve scene safety, and enhance overall operational effectiveness.

To meet the grant application deadline, the Fire District submitted the application on January 27, 2026, and requests that the Board ratify it.

CONSEQUENCE OF NEGATIVE ACTION:
The Fire District would not be able to accept this grant nor acquire the equipment.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 26-542 **Agenda Date:** 2/10/2026 **Agenda #:** C.33.

To: Board of Supervisors

From: Lewis Broschard, Chief, Contra Costa County Fire Protection District

Report Title: Purchase of Property Located at 1015 and 1019 Garcia Ranch Road, Briones Valley in unincorporated Martinez

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

1. APPROVE and AUTHORIZE the Fire Chief or designee to execute, on behalf of the Contra Costa County Fire Protection District, a purchase and sale agreement to purchase the real property at 1015 and 1019 Garcia Ranch Road, Briones Valley, in unincorporated Martinez (APNs 365-030-013 and 365-030-092) from the Nunes Family Trust at a purchase price of $2,495,000 for Fire Station 19.

2. DETERMINE that the purchase of the property is not subject to the California Environmental Quality Act (CEQA), pursuant to Article 5, Section 15061(b)(3) of the CEQA Guidelines, because it can be seen with certainty that there is no possibility that this activity will have a significant effect on the environment.

3. ACCEPT the Grant Deed from Seller for the purchase of the property.

4. AUTHORIZE the Auditor-Controller to wire approximately $2,495,000, plus associated escrow and closing fees, payable to Chicago Title, for credit to Escrow Number FCLA-3862501877.

5. AUTHORIZE the Fire Chief or designee to file a Notice of Exemption (NOE) with the County Clerk and the State Clearinghouse.

6. AUTHORIZE the Fire Chief or designee to arrange for payment of a $50 fee to the County Clerk for filing the NOE.

7. DIRECT the Real Estate Division to have this staff report and a certificate of acceptance delivered to Chicago Title Company for recording in the Office of the County Recorder.

8. APPROVE Budget Amendment No. BDA-26-00013 appropriating fund balance of $2,595,000 for the purchase price and estimated closing costs.

FISCAL IMPACT:

100% Fire District Operating Fund balance.

BACKGROUND:

Fire Station 19 is in the Briones Valley and has been leased from the Nunes Family Trust for decades. Its origins date back to the Briones Fire District, which was merged into the Contra Costa County Fire Protection District (CCCFPD) in 1971. CCCFPD operates a reserve firefighter program and uses reserve firefighters to staff this facility on both a scheduled and as-needed basis. When emergencies occur in the vicinity, both the reserve firefighters from Fire Station 19 and 24-hour fully staffed resources are dispatched. The closest staffed station comes from Lafayette (FS16), Pleasant Hill (FS5), Martinez (FS13), or Pinole (FS74). In some cases, the area may receive automatic aid from the Moraga Orinda Fire District. The building itself is more of a garage than a typical fire station. This facility does not have sleeping quarters, meal preparation facilities, or shower facilities.

While this remote area of the County has a relatively low call volume, it is at significant risk for wildland fire. CALFIRE classifies the Fire Station itself in a high fire hazard severity zone, and within ½ mile of the station is a very high fire hazard severity zone. Many areas of our County have experienced insurance cancellation notices, and the Briones Valley is no exception. In 2002, a fire burned 200 acres in the vicinity along Alhambra Valley Road. The lack of significant fire history actually increases risk due to the buildup of available vegetative fuels. Many insurance companies want to know the distance to the nearest fire station. This is one of the many reasons maintaining a presence in this community is important to the District and to our ability to protect it.

Fire District leadership has periodically explored and investigated several options to secure a permanent location in the area over the last decade. One of the challenges is the rugged topography of the Alhambra and Briones valleys. When parcels become available, they are not usable because they lack flat, buildable land.

A standard, “in-town” fire station uses one to two acres. The Fire District is interested in the entire 9.86 parcel because it offers multiple future options. It immediately secures the location and eliminates the risk of losing a lease to new ownership. Future options for use include:

- Permanent Fire Station with 24-hour quarters allowing seasonal or red flag upstaffing on high-threat days.
- Permanent full-time staffing (5-10 year range / $4 million annual ongoing costs and currently unfunded).
- Work Center for Crew 12 to perform fuel mitigation projects in the immediate area
- Places wildland fire resources in position to respond to wildland threats in the West County Hills.
- Fire Staging Area to be utilized for significant wildland fire events in the area.
- Helicopter Landing Zone for wildland fire and emergency medical events.

All of these future potential uses would require further planning and additional discretionary approvals before they could be implemented, at which time the Fire District will take any applicable actions required under CEQA. Currently, the Fire District is not committing to any uses of the property other than to continue existing uses on the property

CONSEQUENCE OF NEGATIVE ACTION:

The Fire District would not be able to purchase this property and would have to identify an alternative site to provide fire protection services.

Parcel Number: APN 365-030-013 and 365-030-092 Project Name: Acquisition Project Number: WLP599	Seller: Nunes Family Trust Address: 1015 and 1019 Garcia Ranch Road, Martinez, CA 94553

PURCHASE AND SALE AGREEMENT BETWEEN
CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT
AND
Nunes Family Trust under Declaration of Trust dated May 16, 1996

This purchase and sale agreement ("Agreement") is dated February 10, 2026, ("Effective Date") and is entered into by between the Contra Costa County Fire Protection District, a fire protection district existing under the laws of the State of California, (the "District") and the Nunes Family Trust under Declaration of Trust dated May 16, 1996, (the "Seller").

R E C I T A L S

Seller is the owner of the real property located at 1015 and 1019 Garcia Ranch Road, Martinez, California, as more particularly described in Exhibit A attached hereto (collectively, the "Property").

Buyer wishes to purchase the Property, subject to the terms of this Agreement. Seller desires to sell the Property to Buyer, subject to the terms of this Agreement.

The Effective Date of this Agreement is the date on which it is executed on behalf of the District following the final approval of the Agreement by the Contra Costa County Board of Supervisors, acting in its capacity as the District's Board of Directors.

A G R E E M E N T

NOW, THEREFORE, in consideration for good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, the parties agree as follows:

1. **Purchase and Sale.** Subject to the terms and conditions in this Agreement, Seller agrees to sell, and District agrees to purchase, the Property.

2. **Purchase Price.** The purchase price for the Property is $2,495,000 ("Purchase Price"), allocated as follows: the purchase price of 1015 Garcia Ranch Road, Martinez is $1,300,000 and the purchase price of 1019 Garcia Ranch Road, Martinez is $1,195,000.

3. **Conditions to District's Performance.** The District's obligation to perform under this Agreement is subject to the following conditions:

    a. Seller's representations and warranties in this Agreement being correct as of the date of this Agreement and as of the Close of Escrow.

b. Seller's performance of all of its obligations under this Agreement.

c. The vesting of title to the Property in the District by grant deed in fee simple absolute, free and clear of all liens, encumbrances, assessments, leases (recorded and/or unrecorded), and taxes, excepting only those deemed acceptable to District ("Approved Exceptions").

d. The Title Company (as defined below) being prepared to issue a CLTA title insurance policy in the full amount of the purchase price, subject only to the Approved Exceptions ("Title Policy").

e. If District determines that any of these conditions has not been met, District has the right to terminate this Agreement by delivering written notice to Seller and, if applicable, the Escrow agent, notwithstanding any earlier delivery of a Closing Notice to Seller.

4. **Escrow.** By this Agreement, the parties establish an escrow account with Chicago Title Company ("Title Company"), having Escrow No. FCLA-3862501877("Escrow"). If, for any reason, the named Title Company is unable to handle this transaction through the Close of Escrow (as defined below), the District's Real Property Agent assigned to oversee this property acquisition will select an alternate title company to handle the transaction and notify Seller in writing of the identity and address of the successor title company and the new escrow number. Thereafter, the successor company will be the "Title Company" for purposes of this Agreement. Seller hereby authorizes District to prepare escrow instructions and file them with the Title Company, on behalf of Seller, in accordance with this Agreement. This includes authorizing the Title Company to withhold pro rata taxes, liens, and assessments on the Property conveyed.

a. Fees and Title Insurance. Upon the Close of Escrow, (i) the District shall pay all recording fees to record the Grant Deed, as defined below, and the premium charged for the Title Policy, and (ii) the District and Seller shall share equally all other closing costs and escrow charges incurred in the transaction.

b. Seller's Deposit into Escrow. On or before the Close of Escrow, Seller will deliver into Escrow with the Title Company the following documents:

i. A grant deed, in recordable form and properly executed on behalf of Seller, in a form approved by District ("Grant Deed") conveying to the District the Property in fee simple absolute, subject only to any Approved Exceptions.

ii. Copies of any effective leases, rental agreements, and any other agreements, affecting the Property, if any, that the District has agreed in writing are to remain in effect after the District takes title to the Property.

iii. Seller's affidavit of nonforeign status as contemplated by Section 1445 of

the Internal Revenue Code of 1986, as amended [26 USCA §1445].

iv. Seller's affidavit as contemplated by the Revenue and Taxation Code § 18662.

c. Property Taxes. All ad valorem real property taxes and any penalties and costs thereon, and all instruments of any bond or assessment that constitutes a lien on the Property, are to be cleared and paid by Seller as of the date title vests in the District.

d. Deposit of Purchase Price Into Escrow by District. District will deposit the Purchase Price into Escrow with the Title Company, together with all amounts to pay any additional costs the District is obligated to pay upon the Close of Escrow under this Agreement.

e. Close of Escrow. Escrow shall close upon the conveyance of the Property to the District ("Close of Escrow"), which is anticipated to occur on or before March 12, 2026. On the closing date, the Title Company shall close Escrow as follows:

i. Record the grant deed, marked for return to the District care of Jessica L. Dillingham, Principal Real Property Agent, for the District at District's address in Section 12, which will be deemed delivery to the District.

ii. Issue the Title Policy, if requested to do so by the District.

iii. Prorate taxes, assessments, rents and other charges as provided by this Agreement.

iv. Disburse to the Seller the Purchase Price, less prorated amounts and charges to be paid by or on behalf of Seller.

v. Disburse to the Seller the Purchase Price, less prorated amounts and charges to be paid by or on behalf of Seller, which shall include any amount paid to Seller's real estate agent and/or broker as commission.

If the Title Company is unable to simultaneously perform all of the instructions set forth above, the Title Company must notify the Seller and the District and retain all funds and documents pending receipt of further instructions from the District.

5. **Seller's Representations and Warranties.** Seller makes the following representations and warranties with the understanding that these representations and warranties are material and are being relied upon by District. Seller represents and warrants to the District that as of the date of this Agreement and as of the Close of Escrow:

a. Marketable Title. Seller is the owner of the Property and has marketable and insurable fee simple title to the Property clear of restrictions, leases, liens and other

encumbrances, subject only to the Approved Exceptions. No leases, licenses, or other agreements allowing any third-party rights to use the Property are or will be in force unless prior consent has been given by the District in writing. Commencing with the full execution of this Agreement by both parties and until the Close of Escrow, Seller may not permit any liens, encumbrances, or easements to be placed on the Property other than the Approved Exceptions, nor may Seller enter into any agreement that would affect the Property that would be binding on the District after the Close of Escrow, without the prior written consent of the District.

b. Condition of Property. Seller has disclosed to the District all information, records and studies maintained by Seller in connection with the Property concerning hazardous substances and Seller is not concealing any knowledge of the presence of contamination or hazardous substances on, from or under the Property. Any information that Seller has delivered to the District either directly or through Seller's agents is accurate and Seller has disclosed all material facts with respect to the Property.

c. Other Matters Affecting Property. To the best of Seller's knowledge, there are not presently any actions, suits, or proceedings pending or, threatened against or affecting the Property or the interest of Seller in the Property or its use that would affect Seller's ability to consummate the transaction contemplated by this Agreement. Further, there are not any outstanding and unpaid arbitration awards or judgments affecting title to any portion of the Property. Seller shall promptly notify District of any of these matters arising in the future.

d. Seller's Agency. This Agreement and all other documents delivered prior to or at the Close of Escrow have been authorized, executed, and delivered by Seller, are binding obligations of the Seller, and are collectively sufficient to transfer all of Seller's rights to the Property. In addition to any other remedies that may be available to the District as the result of a breach of any of the foregoing warranties or representations, Seller agrees to defend and hold the District harmless and reimburse the District for any and all loss, cost, liability, expense, damage, or other injury, including without limitation, attorneys' fees, incurred by reason of, or in any manner resulting from the breach of any of the warranties and representations contained in this Agreement and all third-party claims arising out of or related to any facts or circumstances with respect to the period prior to the Close of Escrow.

6. **District's Representations and Warranties.** District warrants that, upon approval of this Agreement by the District's governing body, this Agreement constitutes a binding obligation of the District.

7. **Hazardous Material.** The Seller hereby represents and warrants that during the period of Seller's ownership of the Property, there have been no disposals, releases or threatened releases of Hazardous Materials (defined below) on, from, or under the Property. Seller further represents and warrants that Seller has no knowledge of any disposal, release, or

threatened release of Hazardous Materials on, from, or under the Property which may have occurred prior to Seller taking title to the Property.

The Purchase Price reflects the fair-market value of the Property without the presence of contamination by Hazardous Materials. If the Property is found to be contaminated by the presence of Hazardous Materials that require mitigation under Federal or State law, the District may elect to recover its clean-up costs from those who caused or contributed to the contamination or are otherwise responsible under State and Federal Law.

As used in this Agreement, "Hazardous Materials" means any chemical, compound, material, mixture, or substance that is now or may in the future be defined or listed in, or otherwise classified pursuant to any Environmental Laws (defined below) as a "hazardous substance", "hazardous material", "hazardous waste", "extremely hazardous waste", infectious waste", toxic substance", toxic pollutant", or any other formulation intended to define, list or classify substances by reason of deleterious properties such as ignitability, corrosivity, reactivity, carcinogenicity, or toxicity. The term "Hazardous Materials" shall also include asbestos or asbestos-containing materials, radon, chrome and/or chromium, polychlorinated biphenyls, petroleum, petroleum products or by-products, petroleum components, oil, mineral spirits, natural gas, natural gas liquids, liquefied natural gas, and synthetic gas usable as fuel, perchlorate, and methyl tert butyl ether, whether or not defined as a hazardous waste or hazardous substance in the Environmental Laws.

As used in this Agreement, "Environmental Laws" means any and all federal, state and local statutes, ordinances, orders, rules, regulations, guidance documents, judgments, governmental authorizations or directives, or any other requirements of governmental authorities, as may presently exist, or as may be amended or supplemented, or hereafter enacted, relating to the presence, release, generation, use, handling, treatment, storage, transportation or disposal of Hazardous Materials, or the protection of the environment or human, plant or animal health, including, without limitation, the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended by the Superfund Amendments and Reauthorization Act of 1986 (42 U.S.C. § 9601), the Hazardous Materials Transportation Act (49 U.S.C. § 1801 *et seq*.), the Resource Conservation and Recovery Act (42 U.S.C. § 6901 *et seq*.), the Federal Water Pollution Control Act (33 U.S.C. § 1251 *et seq*.), the Clean Air Act (42 U.S.C. § 7401 *et seq*.), the Toxic Substances Control Act (15 U.S.C. § 2601 *et seq*.), the Oil Pollution Act (33 U.S.C. § 2701 *et seq*.), the Emergency Planning and Community Right-to-Know Act (42 U.S.C. § 11001 *et seq*.), the Porter-Cologne Water Quality Control Act (Cal. Water Code § 13000 *et seq*.), the Toxic Mold Protection Act (Cal. Health & Safety Code § 26100, *et seq*.), the Safe Drinking Water and Toxic Enforcement Act of 1986 (Cal. Health & Safety Code § 25249.5 *et seq*.), the Hazardous Waste Control Act (Cal. Health & Safety Code § 25100 *et seq*.), the Hazardous Materials Release Response Plans & Inventory Act (Cal. Health & Safety Code § 25500 *et seq*.), and the Carpenter-Presley-Tanner Hazardous Substances Account Act (Cal. Health and Safety Code, Section 25300 *et seq*.).

8. **Survival.** All the terms, provisions, representations, warranties and covenants of the parties under this Agreement shall survive the assignment, expiration or termination of this

Agreement and shall not merge in the deed or other documents following the delivery and recordation of the Grant Deed or other documents.

9. **Possession of the Property.** Seller shall deliver possession of the Property to the District at the Close of Escrow.

10. **Assignment and Successors.** The District has the right to assign all its rights and obligations under this Agreement to any party. This Agreement inures to the benefit of and is binding upon the parties to this Agreement and their respective heirs, successors, and assigns.

11. **Notices.** All notices (including requests, demands, approvals or other communications) under this Agreement shall be in writing. The place for delivery of all notices given under this Agreement is as follows:

Seller: Del Beccaro, Hornsby & Blake
800 South Broadway, Suite 301
Walnut Creek, CA 94596
Attn: David T. Hornsby

Copy to: Dudum Real Estate Group
1148 Alpine Road, #100
Walnut Creek, CA 94596
Attn: Mariah Bradford

District: Contra Costa County Fire Protection District
c/o Real Estate Division/Principal Real Property Agent
Public Works Department
40 Muir Road
Martinez, CA 94553

or to such other addresses as District and Seller may designate by written notice to the other.

12. **Entire Agreement.** This Agreement contains the entire agreement of the parties and supersedes all other prior agreements and all negotiations leading up to the execution of this Agreement, whether oral or in writing, with respect to the District's purchase of the Property. The parties acknowledge that no representations, inducements, promises, or statements, oral or otherwise, have been made that are not embodied or incorporated by reference herein. The parties further agree that no covenant, representation, inducement, promise, or statement not set forth in this Agreement is valid or binding.

13. **Construction.** The section headings and captions of this Agreement are, and the arrangement of this instrument is, for the sole convenience of the parties to this Agreement. The section headings, captions and arrangement of this instrument do not in any way affect, limit, amplify or modify the terms and provisions of this Agreement. This Agreement may not be construed as if it had been prepared by one of the parties, but rather as if both parties

had prepared it. The parties to this Agreement and their counsel have read and reviewed this Agreement and agree that any rule of construction to the effect that ambiguities are to be resolved against the drafting party do not apply to the interpretation of this Agreement. The Recitals are enforceable as a part of this Agreement.

14. **Further Assurances.** Whenever requested to do so by the other party, each party shall execute, acknowledge and deliver all further conveyances, assignments, confirmations, satisfactions, releases, powers of attorney, instruments of further assurance, approvals, consents and all further instruments and documents as may be necessary, expedient, or proper in order to complete all conveyances, transfers, sales, and assignments under this Agreement, and do all other acts and to execute, acknowledge, and deliver all documents as requested in order to carry out the intent and purpose of this Agreement.

15. **Waiver.** A waiver or breach of any covenant or provision in this Agreement may not be deemed a waiver of any other covenant or provision in this Agreement, and no waiver is valid unless in writing and executed by the waiving party.

17. **Severability.** If any term or provision of this Agreement is held, to any extent, to be invalid or unenforceable, the remainder of this Agreement will not be affected.

18. **Governing Law.** This Agreement is governed by the laws of the State of California, and venue for any legal action shall be in Contra Costa County.

DISTRICT

CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT

By: _____
Lewis T. Broschard III
Fire Chief

RECOMMENDED BY:

By: _____
Aaron McAlister
Deputy Fire Chief

APPROVED AS TO FORM:
THOMAS L. GEIGER, COUNTY COUNSEL

By: _____
Stephen M. Siptroth
Assistant County Counsel

SELLER

NUNES FAMILY TRUST dated May 16, 1996

By: _____
Frank Edward Nunes
Co-Trustee

By: _____
Edward Paul Nunes
Co-Trustee

EXHIBIT A

Legal Descriptions

For APN/Parcel ID(s): 365-030-092-8

THE LANDLREFERRED TO HEREIN BELOW IS SITUATE IN THE UNINCORPORATED AREA IN COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

LOT 1 OF SUBDIVISION 6999, THE FINAL MAP OF WHICH IS DATED MAY1991, FILED IN BOOK 387 OF MAPS AT PAGE 1 AND ON MAY 14, 1996, AND RECORDED ON MAY 14, 1996 AS SERIES NO. 96-89319, AS INSTRUMENT NO. 96-89320 OF OFFICIAL RECORDS OF CONTRA COSTA COUNTY, CALIFORNIA.

For APN/Parcel ID(s): 365-030-013-4

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE UNINCORPORATED AREA IN COUNTYOF CONTRA COSTA, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:
A PORTION OF LOT 10, AS DESIGNATED ON THE MAP ENTITLED "PLAT OF GARCIA RANCH, CONTRACOSTA COUNTY, CALIFORNIA", WHICH MAP WAS FILED IN THE OFFICE OF THE RECORDER OF THECOUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, ON DECEMBER 10, 1914 IN VOLUME 12 OF MAPS, AT PAGE 268, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 10; THENCE FROM SAID POINT OF BEGINNING NORTH 81° 05' WEST, ALONG A NORTH LINE OF SAID LOT 10, 209 FEET; THENCE SOUTH 22° 17' 30" WEST, PARALLEL WITH THE EAST LINE OF SAID LOT 10, 209 FEET; THENCE SOUTH 81° 05' EAST, PARALLEL WITH THE NORTH LINE OF SAID LOT 10, 209 FEET TO THE EAST LINE OF SAID LOT 10; THENCE NORTH 22° 17' 30" EAST, ALONG SAID EAST LINE, 209 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM: THE “UNDIVIDED ONE-HALF INTEREST IN AND TO ALL OIL, GAS AND MINERALS AND ALL OIL, GAS AND MINERAL RIGHTS UPON THE ABOVE DESCRIBED LAND AND THE RIGHT TO ENTER THEREON AND TO USE SO MUCH OF THE SURFACE AS MAY BE REASONABLE FOR THE PURPOSE OF EXTRACTING OIL, GAS AND MINERALS THEREON AND THEREUNDER", RESERVED IN THE DEED FROM FRANK AVINELIZ, ET UX, TO ORA KING, DATED OCTOBER 26, 1944 AND RECORDED JUNE 19, 1945 IN VOLUME 686 OF OFFICIAL RECORDS AT PAGE 381.

View Budget Amendment: Budget Amendment: FY 2025-26 - Operating Budget on 02/10/2026 : BDA-26-00013

Company	Contra Costa County
Budget Template	Operating Budget : FY 2025-26 Operating Budget
Budget	FY 2025-26 Operating Budget
Organizing Dimension Type	
Amendment ID	BDA-26-00013
Amendment Date	02/10/2026
Description	Budget adjustment to allocate funds from 7300 CCCFPD Fund Balance to 4019 to purchase property at 1019 Garcia Ranch Road, Martinez.
Amendment Type	Appropriation / Estimated Revenue Adjustment
Balanced Amendment	Yes
Entry Type	Mid-Year Adjustments
Status	In Progress

Budget Amendment Entries

Period	*Ledger Account/Summary	Home Organization	*Cost Center	*Fund	Debit Amount	Credit Amount	Memo	Exceptions
FY 2025-26 Year (FY 2025-26 Operating Budget)	9990:APPROPRIATED FUND BAL	7300 CCC FIRE PROTECTION (Home Org)	7300 CCC FIRE PROTECTION	202000 C C C FIRE PROTECTION	$0.00	$2,595,000.00	1019 Garcia Ranch Rd	Warning : - Home Org on Budget Line Not Equal Initiator's Home Org
FY 2025-26 Year (FY 2025-26 Operating Budget)	4019:LAND&BLDG AQUISITION	7300 CCC FIRE PROTECTION (Home Org)	7300 CCC FIRE PROTECTION	202000 C C C FIRE PROTECTION	$2,595,000.00	$0.00	1019 Garcia Ranch Rd	Warning : - Home Org on Budget Line Not Equal Initiator's Home Org

Process History

Process	Step	Status	Completed On	Due Date	Person (Up to 5)	All Persons	Comment
Budget Amendment Event	Budget Amendment Event	Step Completed	02/03/2026 04:52:08 PM	02/04/2026	Elizabeth Patterson	1	
Budget Amendment Event	Review Budget Amendment	Not Required		02/04/2026		0	
Budget Amendment Event	Approval by Department Approver – Budget Amendment	Approved	02/04/2026 02:53:52 PM		Faye Ny (Department Approver – Budget Amendment)	1	
Budget Amendment Event	Review Budget Amendment	Awaiting Action		02/04/2026	Analiza Pinlac (Budget Specialist (Auditor Office))	3	
					Xia Zhang (Budget Specialist (Auditor Office))		

Process	Step	Status	Completed On	Due Date	Person (Up to 5)	All Persons	Comment
					Yesenia Campos (Budget Specialist (Auditor Office))		

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 26-543 **Agenda Date:** 2/10/2026 **Agenda #:** C.34.

To: Board of Supervisors

From: Dr. Grant Colfax, Health Services Director

Report Title: Contract #74-747 with Telecare Corporation

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract #74-747 with Telecare Corporation, a California corporation, in an amount not to exceed $1,456,673, for Telecare Corporation to locate and secure three (3) temporary residential facilities and for Telecare Corporation to make all necessary tenant improvements for current Hope House residents and staff being relocated while Hope House is undergoing required renovations, for the period February 1, 2026 through January 31, 2027.

FISCAL IMPACT:
Approval of this Contract will result in budgeted expenditures of up to $1,456,673 and will be funded 100% by Mental Health Services Act (MHSA) funds.

BACKGROUND:
This Contract meets the social needs of the County's population by supporting the ability of Telecare Corporation to continue to provide services to individuals with complex needs including co-occurring disorders, substance abuse issues, chronic health conditions, criminal justice system involvement, homelessness, intellectual disabilities and complications associated with aging. Moving clients currently residing in the County owned Hope House to new temporary facilities will protect them while Hope House undergoes mandatory renovations.

This Contract is entered into under and subject to the following legal authorities: California Government Code §§ 26227 and 31000. The Behavioral Health's Quality Management, Utilization Management and Contract Monitor Staff meet on a regular basis to ensure monitoring and performance measures in the contract are upheld. This Contract was approved by Health Services Personnel to ensure there is no conflict with labor relations. This Contractor was approved by the Public Works Department's Purchasing Division on August 5, 2025.

Approval of new Contract #74-747 will allow the Contractor to provide temporary facilities for current Hope House residents for the period February 1, 2026 through January 31, 2027.

CONSEQUENCE OF NEGATIVE ACTION:
If this Contract is not approved, Hope House residents will be displaced while required renovations are being

done at the Hope House.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 26-544 **Agenda Date:** 2/10/2026 **Agenda #:** C.35.

To: Board of Supervisors

From: Dr. Grant Colfax, Health Services Director

Report Title: Amendment/Extension #76-934-1 with the Rokos Group, LLC

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract Amendment/Extension #76-934-1 with The Rokos Group, LLC, a limited liability company, effective February 10, 2026, to increase the payment limit by $400,000, from $64,000, to a new payment limit not to exceed $464,000 and extend the termination date from February 28, 2026 to December 31, 2026 to provide additional recruitment services for the vacant Health Services Chief Financial Officer (CFO), Contra Costa Health Plan Chief Operations Officer (COO), and Contra Costa Regional Medical Center COO positions.

FISCAL IMPACT:
Approval of this Amendment will result in additional annual expenditures of up to $400,000 and will be funded as budgeted by the department in FY 2026-27, by 67% Hospital Enterprise Fund I and 33% Contra Costa Health Plan Enterprise Fund II.

BACKGROUND:
In October 2025, the Purchasing Agent executed Contract #76-934 with The Rokos Group, LLC, in the amount of $64,000, for the recruitment of Contra Costa Regional Medical Center's Chief of Plant Operations, through February 28, 2026. This recruitment was successful.

Despite multiple previous executive searches, efforts to hire qualified candidates Health Services Chief Financial Officer (CFO), the Contra Costa Health Plan (CCHP) Chief Operations Officer and the Contra Costa Regional Medical Center (CCRMC) Chief Operations Officer positions have been unsuccessful. The CFO and COO roles are critical to ensuring financial stability, operational efficiency, and strategic leadership across this system.

These roles are highly specialized and require experience in managing large, multifaceted health organizations. Contra Costa Health (CCH) operates a complex integrated health system that includes CCRMC and CCHP, serving hundreds of thousands of County residents.

Approval of Amendment/Extension #76-934-1 will allow The Rokos Group, LLC to conduct three national executive searches, leveraging their expertise and network to identify and recruit top-tier candidates for the 3 aforementioned executive leadership positions, through December 31, 2026.

CONSEQUENCE OF NEGATIVE ACTION:
If this contract is not approved:
· CCH will continue to operate without permanent leadership in critical finance and operations roles.
· Lack of a CFO will jeopardize financial oversight, strategic planning, and compliance with fiscal regulations, potentially impacting revenue cycle management and long-term sustainability.
· Absence of COOs for CCRMC and CCHP will hinder operational efficiency, delay implementation of key initiatives, and compromise patient care coordination.
· Prolonged vacancies may lead to increased reliance on interim leadership, higher costs, and risk of operational disruptions, ultimately affecting the County's ability to deliver high-quality healthcare services to residents.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 26-545 **Agenda Date:** 2/10/2026 **Agenda #:** C.36.

To: Board of Supervisors

From: Dr. Grant Colfax, Health Services Director

Report Title: Contract Amendment #77-744-1 with Community Medical Specialists, Inc. (dba Community Behavioral Health)

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract Amendment #77-744-1 with Community Medical Specialists, Inc. (dba Community Behavioral Health), a professional corporation, effective February 1, 2026, to amend Contract #77-744, to increase the payment limit by $900,000, from $600,000 to a new payment limit of $1,500,000, to provide additional behavioral health therapy services for Contra Costa Health Plan (CCHP) members and County recipients, with no change in the term ending May 31, 2028.

FISCAL IMPACT:
Approval of this Contract Amendment will result in additional expenditures of $900,000 and will remain funded 100% by CCHP Enterprise Fund II revenues. (No rate increase)

BACKGROUND:
CCHP has an obligation to provide certain behavioral health therapy services for its members under the terms of their Individual and Group Health Plan membership Contracts with the County. This Contractor will be part of the CCHP Provider Network providing these services and fostering a deep understanding of the CCHP organizations, mission, values, and long-term objectives starting June 1, 2025.

This Contract is entered into under and subject to the following legal authorities: California Government Code §§ 26227 and 31000; Health and Safety Code § 1451. Health Services Personnel approved this Contract to ensure no conflicts with labor relations. Contractor will cooperate with and participate in CCHP's Quality Management Program which consists of quality improvement activities to improve the quality of care and services and member experience. Cooperation includes collection and evaluation of performance measurement data and participation in the organization's clinical and service measure Quality Improvement Programs. These contracted services were determined to be exempt from Administrative Bulletin 600.3 solicitation requirements by the Public Works Department's Purchasing Division.

On May 13, 2025, the Board of Supervisors approved Contract #77-744 with Community Medical Specialists, Inc. (dba Community Behavioral Health), in an amount not to exceed $600,000, for the provision of behavioral health therapy services for CCHP members and County recipients for the period June 1, 2025 through May 31, 2028.

Approval of Contract Amendment #77-744-1 will allow the Contractor to provide additional behavioral health therapy services through May 31, 2028.

CONSEQUENCE OF NEGATIVE ACTION:
If this Contract Amendment is not approved, the additional behavioral health therapy services needed for CCHP members under the terms of their Individual and Group Health Plan membership contracts with the County will not be provided and may cause a delay in services to CCHP members.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 26-546 **Agenda Date:** 2/10/2026 **Agenda #:** C.37.

To: Board of Supervisors

From: Dr. Grant Colfax, Health Services Director

Report Title: Contract #23-560-13 with Mainsail Parent, LLC (dba Aspirion Health Resources LLC)

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract #23-560-13 with Mainsail Parent, LLC (dba Aspirion Health Resources LLC), a limited liability company, in an amount not to exceed $500,000, to provide accounts receivable solutions with processing out-of-state Medicaid billing and provide commercial insurance claim denial resolution for the Health Services Department, for the period February 1, 2026 through January 31, 2027.

FISCAL IMPACT:
Approval of this Contract will result in annual expenditures of up to $500,000 and will be funded 100% by Hospital Enterprise Fund I revenues.

BACKGROUND:
This Contract meets the business needs of the County by providing accounts receivable solutions for out-of-state Medicaid billing and follow up with commercial insurance denials using the latest billing and editing technology available resulting in faster claim submission and increased payments. This Contractor has been providing services to the Health Services Department since October 1, 2014. This Contract is entered into under and subject to the following legal authorities: California Government Code §§ 31000. This Contract was approved by Health Services Personnel to ensure there is no conflict with labor relations. The Office of the Director's contract monitoring staff meet on a regular basis to ensure monitoring of performance measures set forth in the contract are upheld. This Contractor was approved by the Public Works Department's Purchasing Division on December 16, 2025.

On April 28, 2025, the Board of Supervisors approved Contract #23-560-12 with Mainsail Parent, LLC (dba Aspirion Health Resources LLC), formally known as Firm Revenue Cycle Management Services, Inc., in an amount not to exceed $500,000, to provide billing services to process out-of-state Medicaid claims, for the period February 1, 2025 through January 31, 2026.

Approval of Contract #23-560-13 will allow the Contractor to continue to provide services through January 31, 2027. Except concerning indemnification, gross negligence and/or willful misconduct, or claims related to breach of confidentiality or the Business Associates' Agreement, the Contract contains a limitation of liability clause which excludes Contractor's liability to County for: 1) Any exemplary, punitive, incidental, special, or consequential damages; and 2) Any claims or damages in excess of $1,000,000.

CONSEQUENCE OF NEGATIVE ACTION:
If this Contract is not approved the County will not have access to these services which may decrease collections/revenue and increase time for claim submissions.

CONTRA COSTA COUNTY

1025 ESCOBAR STREET
MARTINEZ, CA 94553

Staff Report

File #: 26-547 **Agenda Date:** 2/10/2026 **Agenda #:** C.38.

To: Board of Supervisors

From: Dr. Grant Colfax, Health Services Director

Report Title: Contract #27-683-9 with Chulong Xue, LAC (dba Xue Clinic)

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract #27-683-9 with Chulong Xue, LAC, an individual, in an amount not to exceed $330,000, to provide acupuncture services to Contra Costa Health Plan (CCHP) members and County recipients for the period February 1, 2026 through January 31, 2029.

FISCAL IMPACT:
Approval of this Contract will result in contractual service expenditures of up to $330,000 over a three-year period and will be funded 100% by CCHP Enterprise Fund II revenues.

BACKGROUND:
CCHP has an obligation to provide certain specialized acupuncture services to CCHP members under the terms of their Individual and Group Health Plan membership contracts with the County. This Contractor has been part of the CCHP Provider Network providing these services while fostering a deep understanding of the CCHP organizations, mission, values, and long-term objectives since February 1, 2007.

This Contract is entered into under and subject to the following legal authorities: California Government Code § 26227 and 31000; and health and Safety Code §1451. Health Services Personnel approved this Contract to ensure no conflicts with labor relations. Contractor will cooperate with and participate in CCHP's Quality Management Program which consists of quality improvement activities to improve the quality of care and services and member experience. Cooperation includes collection and evaluation of performance measurement data and participation in the organization's clinical and service measure Quality Improvement Programs. These contracted services were determined to be exempt from Administrative Bulletin 600.3 solicitation requirements by the Public Works Department's Purchasing Division.

In February 2023, the County Administrator approved and the Purchasing Services Manager executed Contract #27-683-8, with Chulong Xue, LAC (dba XUE Clinic), in an amount not to exceed $150,000, for the provision of acupuncture services for CCHP members and County recipients for the period February 1, 2023 through January 31, 2026.

Approval of Contract #27-683-9, will allow the Contractor to continue to provide acupuncture services to CCHP members and County recipients through January 31, 2029.

CONSEQUENCE OF NEGATIVE ACTION:
If this Contract is not approved, certain specialized acupuncture services for CCHP members under the terms of their Individual and Group Health Plan membership contract with the County will not be provided and may cause a delay in services to CCHP members.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 26-548 **Agenda Date:** 2/10/2026 **Agenda #:** C.39.

To: Board of Supervisors

From: Dr. Grant Colfax, Health Services Director

Report Title: Contract #77-802 with MedAmerica Physician Solutions, PC

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract #77-802 with MedAmerica Physician Solutions, PC, a professional corporation, in an amount not to exceed $300,000, to provide outpatient wound care services for Contra Costa Health Plan (CCHP) members and County recipients for the period February 1, 2026 through January 31, 2028.

FISCAL IMPACT:
Approval of this Contract will result in contractual service expenditures of up to $300,000 over a two-year period and will be funded 100% by CCHP Enterprise Fund II revenues.

BACKGROUND:
CCHP has an obligation to provide certain specialized outpatient wound care services to CCHP members under the terms of their Individual and Group Health Plan membership contracts with the County. This is a new Contractor who will be part of the CCHP Provider Network providing these services and fostering a deep understanding of the CCHP organizations, mission, values, and long-term objectives starting February 1, 2026.

This Contract is entered into under and subject to the following legal authorities: California Government Code § 26227 and 31000; and health and Safety Code §1451. Health Services Personnel approved this Contract to ensure no conflicts with labor relations. Contractor will cooperate with and participate in CCHP's Quality Management Program which consists of quality improvement activities to improve the quality of care and services and member experience. Cooperation includes collection and evaluation of performance measurement data and participation in the organization's clinical and service measure Quality Improvement Programs. Per Administrative Bulletin 600.3, CCHP Physician services are exempt from solicitation requirements.

Approval of this new Contract #77-802, will allow the Contractor to provide outpatient wound care services to CCHP members and County recipients through January 31, 2028.

CONSEQUENCE OF NEGATIVE ACTION:
If this Contract is not approved, certain specialized outpatient wound care services for CCHP members under the terms of their Individual and Group Health Plan membership contract with the County will not be provided and may cause a delay in services to CCHP members.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 26-549 **Agenda Date:** 2/10/2026 **Agenda #:** C.40.

To: Board of Supervisors

From: Dr. Grant Colfax, Health Services Director

Report Title: Contract #76-725-4 with Lana Schick Hutnick, D.C.

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract #76-725-4 with Lana Schick Hutnick, D.C., a sole proprietor, in an amount not to exceed $272,000, to provide chiropractic services at Contra Costa Regional Medical Center (CCRMC) and Contra Costa Health Centers, for the period February 1, 2026 through January 31, 2029.

FISCAL IMPACT:
Approval of this Contract will result in contractual service expenditures of up to $272,000 over a three-year period and will be funded 100% by Hospital Enterprise Fund I revenues.

BACKGROUND:
The County has an obligation to provide certain specialized chiropractic services at CCRMC and Contra Costa Health Centers. This Contractor has been providing these services for the County and fostering a deep understanding of the CCRMC organizations mission, values, and long-term objectives since February 1, 2021.

This Contract is entered into under and subject to the following legal authorities: California Government Code §§ 26227 and 31000; Health and Safety Code § 1451. Health Services Personnel approved this Contract to ensure no conflicts with labor relations. Contractor currently cooperates with and participates in CCRMC's Quality Assurance Program which consists of quality improvement activities such as assisting with the completion of CCRMC's annual performance review. These contracted services were determined to be exempt from Administrative Bulletin 600.3 solicitation requirements by the Public Works Department Purchasing Division.

In February 2024, the Purchasing Services Manager executed Contract #76-725-2 with Lana Schick Hutnick, D.C., in an amount not to exceed $170,000, for the provision of chiropractic services at CCRMC and Contra Costa Health Centers for the period February 1, 2024 through January 31, 2026.

In June 2025, the Purchasing Services Manager executed Contract Amendment #76-725-3 with Lana Schick Hutnick, D.C., to increase the payment limit by $20,000 to a new payment limit of $190,000, for additional chiropractic services at CCRMC and Contra Costa Health Centers with no change in the term.

Approval of Contract #76-725-4, will allow the Contractor to continue providing chiropractic services at

CCRMC and Contra Costa Health Centers through January 31, 2029.

CONSEQUENCE OF NEGATIVE ACTION:
If this Contract is not approved, certain specialized chiropractic services at CCRMC and Contra Costa Health Centers needed for patient care will not be available or will create increased wait times due to the limited number of specialty providers available within the community.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 26-550 **Agenda Date:** 2/10/2026 **Agenda #:** C.41.

To: Board of Supervisors

From: Dr. Grant Colfax, Health Services Director

Report Title: Contract Amendment #77-015-7 with Golden State Dermatology Associates Inc.

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract Amendment #77-015-7 with Golden State Dermatology Associates Inc., a corporation, effective February 1, 2026, to amend Contract #77-015-6, to include vein services in addition to dermatology, otolaryngology and facial gender affirming surgery services and increase the payment limit by $90,000, from $6,000,000 to a new payment limit of $6,090,000, for Contra Costa Health Plan (CCHP) members and County recipients with no change in the term ending March 31, 2028.

FISCAL IMPACT:
Approval of this Contract Amendment will result in additional annual expenditures of up to $90,000 as budgeted by the department and funded 100% by CCHP Enterprise Fund II revenues. (Additional rates)

BACKGROUND:
CCHP has an obligation to provide certain dermatology, otolaryngology, vein, and facial gender affirming surgery services for its members under the terms of their Individual and Group Health Plan membership Contracts with the County. This Contractor has been a part of the CCHP Provider Network providing these services and fostering a deep understanding of the CCHP organizations mission, values, and long-term objectives since April 1, 2016. This Contract is entered into under and subject to the following legal authorities: California Government Code §§ 26227 and 31000; Health and Safety Code § 1451. Health Services Personnel approved this Contract to ensure no conflicts with labor relations. Contractor currently cooperates with and participates in CCHP's Quality Management Program which consists of quality improvement activities to improve the quality of care and services and member experience. Cooperation includes collection and evaluation of performance measurement data and participation in the organization's clinical and service measure Quality Improvement Programs. Per Administrative Bulletin 600.3 CCHP Physician services are exempt from solicitation requirements.

On March 25, 2025 the Board of Supervisors approved Contract #77-015-6 with Golden State Dermatology Associates Inc. in an amount not to exceed $6,000,000 for the provision of dermatology, otolaryngology and gender affirming surgery services for CCHP members and County recipients for the period April 1, 2025 through March 31, 2028.

Approval of Contract Amendment #77-015-7 will allow the Contractor to provide vein services in addition to

dermatology, otolaryngology, and facial gender affirming surgery services through March 31, 2028.

CONSEQUENCE OF NEGATIVE ACTION:
If this Contract Amendment is not approved, vein services for CCHP will not be provided and may cause a delay in services to CCHP members.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 26-551 **Agenda Date:** 2/10/2026 **Agenda #:** C.42.

To: Board of Supervisors

From: Dr. Grant Colfax, Health Services Director

Report Title: Contract Amendment #77-506-3 with Family Spring Psychology, P.C.

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract Amendment #77-506-3 with Family Spring Psychology, P.C., a corporation, effective February 1, 2026, to amend Contract #77-506-1 (as amended by Contract Amendment #77-506-2), to increase the payment limit by $120,000, from $300,000 to a new payment limit of $420,000, for additional behavioral health psychology therapy treatment services for Contra costa Health Plan (CCHP) members and County recipients with no change in the term ending December 31, 2027.

FISCAL IMPACT:
Approval of this Contract Amendment will result in additional annual expenditures of up to $120,000 as budgeted by the department and funded 100% by CCHP Enterprise Fund II revenues. (No rate increase)

BACKGROUND:
CCHP has an obligation to provide certain behavioral health psychology therapy treatment services for its members under the terms of their Individual and Group Health Plan membership contracts with the County. This Contractor has been a part of CCHP Provider Network providing behavioral health psychology therapy treatment services and fostering a deep understanding of the CCHP organizations mission, values, and long-term objectives since January 1, 2023.

This Contract is entered into under and subject to the following legal authorities: California Government Code §§ 26227 and 31000; Health and Safety Code § 1451. Health Services Personnel approved this Contract to ensure no conflicts with labor relations. Contractor will cooperate with and participate in CCHP's Quality Management Program which consists of quality improvement activities to improve the quality of care and services and member experience. Cooperation includes collection and evaluation of performance measurement data and participation in the organization's clinical and service measure Quality Improvement Programs. These contracted services were determined to be exempt from Administrative Bulletin 600.3 solicitation requirements by the Public Works Department's Purchasing Division.

On December 17, 2024 the Board of Supervisors approved Contract #77-506-1 with Family Spring Psychology, P.C. in an amount not to exceed $300,000 for the provision of behavioral health psychology therapy treatment services for CCHP members and County recipients for the period January 1, 2025 through December 31, 2027.

On October 7, 2025 the Board of Supervisors approved Contract Amendment #77-506-2 with Family Spring Psychology, P.C., effective January 1, 2026 to meet the regulatory mandate of Department of Health Care Services (DHCS) and Center for Medicare and Medicaid Services (CMS), to implement a Dual Eligible Special Needs Plan (D-SNP) with no change in payment limit of $300,000 or term.

Approval of Contract Amendment #77-506-3 will allow the Contractor to provide additional behavioral health psychology therapy treatment services for CCHP members and County recipients through December 31, 2027.

CONSEQUENCE OF NEGATIVE ACTION:
If this Contract Amendment is not approved, certain behavioral health psychology therapy treatment services for CCHP will not be provided and may cause a delay in services to CCHP members.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 26-552 **Agenda Date:** 2/10/2026 **Agenda #:** C.43.

To: Board of Supervisors

From: Dr. Grant Colfax, Health Services Director

Report Title: Contract #25-046-27 with Shelter, Inc.

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract #25-046-27 with Shelter, Inc., a non-profit corporation, in an amount not to exceed $1,374,917, to provide housing support services to County residents who have a disability, who are experiencing homelessness, and who are receiving services in the Supportive Housing Program, for the period from December 1, 2025 through November 30, 2026.

FISCAL IMPACT:
Approval of this Contract will result in contractual service expenditures of up to $1,374,917 and will be funded by 99% U.S. Department of Housing and Urban Development (HUD) and 1% Behavioral Health Services Act (BHSA).

BACKGROUND:
This Contract meets the social needs of the County's population by providing housing support services to County residents experiencing homelessness. Shelter, Inc. has been providing housing support services to homeless County residents who have a disability and who are enrolled in the supportive housing program since August 2001. This Contractor has been a longstanding partner in previous projects, fostering a deep understanding of our organization's mission, values, and long-term objectives. Engaging them again will enable knowledge transfer, avoiding knowledge gaps and ensuring continuity in service delivery to vulnerable populations experiencing housing instability or homelessness.

This Contract is entered into under and subject to the following legal authorities: California Government Code §§ 26227 and 31000. This Contract was approved by Health Services Personnel to ensure there is no conflict with labor relations. The Health, Housing and Homeless Services Division Contract Monitoring staff meet on a regular basis to ensure monitoring of performance measures set forth in the contract are upheld. This Contractor was approved by the Public Works Department's Purchasing Division on January 24, 2024.

On May 13, 2025, the Board of Supervisors approved Contract #25-046-26 with Shelter, Inc., in an amount not to exceed $1,308,396 to provide support services to County residents in the Supportive Housing Program that are homeless and have a disability, for the period from December 1, 2024 through November 30, 2025.

Approval of Contract #25-046-27 will allow the Contractor to continue to provide housing support services

through November 30, 2026. This Contract is late due to delayed HUD funding for housing support services which was received by County on December 15, 2025.

CONSEQUENCE OF NEGATIVE ACTION:
If this Contract is not approved, County residents who are homeless with a disability and are receiving services in the supportive housing program will not receive services from this Contractor.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 26-553 **Agenda Date:** 2/10/2026 **Agenda #:** C.44.

To: Board of Supervisors

From: Warren Lai, Public Works Director/Chief Engineer

Report Title: Approve and Authorize the Purchasing Agent to execute an amendment with CDW Government, LLC

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Purchasing Agent, or designee, to execute, on behalf of the Health Services Department, Amendment No. 1 to a participating addendum with CDW Government, LLC., to increase the amount by $500,000 to a payment limit of $3,000,000, for technology products, ancillary services and related solutions.

FISCAL IMPACT:
Additional Product and service costs are funded by Hospital Enterprise Fund 1. (100% Hospital Enterprise Fund 1)

BACKGROUND:
Contra Costa Purchasing Services is requesting approval of Amendment No. 1 to the Participating Addendum for additional funding to purchase of technology products, ancillary services and related solutions offered through CDW Government, LLC. Products are guaranteed through the master contract awarded by Sourcewell, a State of Minnesota Public Agency. Approval of the addendum No. 1 between Contra Costa County and CDW Government, LLC, allows the Health Services Department to obtain guaranteed pricing available through the Sourcewell, a State of Minnesota Public Agency, contract 121923-CDW. The additional funds will support the Health Services Department to purchase technology products, ancillary services, and related solutions, and provide discounted equipment off published list prices. Other County Departments have access to a countywide purchase order for their technology purchases.

CONSEQUENCE OF NEGATIVE ACTION:
Without approval of this agreement, the Health Services Department would be paying full price on technology products, ancillary services, and related solution purchases.

AMENDMENT NO. 1 TO THE PARTICIPATING ADDENDUM
for
Technology Products and Services with Related Solutions under Contract# 121923-CDW
SOURCEWELL Cooperative Purchasing Program

Participating Entity:
CONTRA COSTA COUNTY

Contractor: CDW Government LLC

This Amendment No. 1 ("Amendment") to the Participating Addendum, dated October 15, 2025, ("Agreement") is made and entered into as of February 3, 2026 ("Amendment Effective Date"), by and between Contra Costa County, a political subdivision of the State of California ("County"), and CDW Government LLC (hereinafter referred to as "CDW"), whose principal place of business is 230 North Milwaukee Avenue, Vernon Hills, IL 60061. The County and Contractor are sometimes referred to herein together as the "Parties," and each as a "Party."

Recitals

Whereas, CDW offers technology products and services and related solutions a cooperative purchasing agreement, identified as Contract No. 121923-CDW ("Master Contract"), awarded by Sourcewell, a State of Minnesota public agency, following a competitive solicitation.

Whereas, the County and CDW entered into the Agreement to allow the County to make purchases from the CDW under the terms of the Master Contract.

Whereas, because the County anticipates making a greater volume of purchases from CDW than originally anticipated, the Parties desire to increase the Payment Limit of the Agreement by $500,000, from $2,500,000, to a new Payment Limit of $3,000,000, with no change to any other terms of the Agreement.

Amendment

NOW, THEREFORE, for good and valuable consideration the receipt and adequacy of which are hereby acknowledged, the County and CDW agree to amend the Agreement as of the Amendment Effective Daye, as follows:

1. Term. Section 2 (Payment Limit) of the Agreement is deleted in its entirety and replaced with new Section 2, to read:

   "2. Payment Limit. County's total payments to CDW under this Agreement shall not exceed $3,000,000 ("Payment Limit"). Nothing in this Agreement obligates the County to make any purchase, or any particular volume of purchases, under this Agreement."

2. Remainder Unchanged. Except to the extent that the Agreement is expressly modified by this Amendment, the remainder of the Agreement remains unchanged and in full force and effect.

AMENDMENT NO. 1 TO THE PARTICIPATING ADDENDUM
for
Technology Products and Services with Related Solutions under Contract# 121923-CDW
SOURCEWELL Cooperative Purchasing Program

IN WITNESS, WHEREOF, the parties have executed this Participating Addendum as of the Effective Date.

Participating Entity: **Contra Costa County**	Contractor: **CDW Government LLC**
Signature:	Signature:
Name: Cynthia Shehorn	Name:
Title: Procurement Services Manager	Title:
	Signature:
	Name:
	Title:

Approved as to form:

Thomas L. Geiger, County Counsel

By: _____

Assistant County Counsel

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 26-554 **Agenda Date:** 2/10/2026 **Agenda #:** C.45.

To: Board of Supervisors

From: Dr. Grant Colfax, Health Services Director

Report Title: Purchase Order with Hoover's Commercial Services, Inc. dba Be. Workplace Design

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Purchasing Agent, or designee, to execute on behalf of the Health Services Director, a one-time purchase order with Hoover's Commercial Services, Inc. dba Be. Workplace Designs in an amount not to exceed $1,084,438 for the purchase of office furniture to be used for the Mental Health Rehabilitation Center (MHRC) program located at 847B Brookside Drive in Richmond.

FISCAL IMPACT:
Approval of this action will result in expenditures up to $1,084,438 and will be funded by the Behavioral Health Continuum Infrastructure Program (BHCIP) to expand community-based treatment facilities. Cost Center #5967 work tag GR-00338.

BACKGROUND:
On November 15, 2023, the Contra Costa Health (CCH) - Behavioral Health (BH) department received a Conditional Notice of Award (NoA) of grant funds to renovate and convert a County-owned facility located at 847B Brookside Drive in Richmond to the first, in-County, Mental Health Rehabilitation Center (MHRC) to serve up to 45 clients in need of treatment in a secured setting as they recover from acute psychiatric episodes. Beginning in February 2024, CCH-BH staff have been meeting on a monthly basis with Advocates for Human Potential (AHP) and representatives from the California Department of Health Care Services (DHCS) to begin work on project requirements and to gather and finalize information to complete the Statement of Work and the project funding agreement. Additionally, Public Works and CCH staff have met weekly to continue planning and to finalize design for the facility. Per the NoA, allowable costs incurred from the time of the Conditional Award may be reimbursed upon full execution of the project funding agreement (PFA). The furniture will be used to support our Mental Health Rehabilitation Center staff in addition to our Mental Health Specialists, Community Support Workers, and Substance Use Counselors to respond in the community and provide services to individuals needing mental health rehabilitation. This expense is related to the furniture needed after renovations are complete.

On June 24, 2025 the Board of Supervisors approved agenda item C.165 to execute a Participating Addendum with the HON Company, LLC in an amount not to exceed $3,000,000, for the purchase of furniture, installation, and related services for use by all County Departments for the period of May 1, 2025 through December 31, 2027, under the terms of a Master Contract awarded by Omnia Partners and the Region 4 Education Service Center, a Texas Public Agency, and distributed through Be. Workplace Design.

CONSEQUENCE OF NEGATIVE ACTION:
If this action is not approved, the County would not receive funds for the renovation and conversion of a vacant County building to a Mental Health Rehabilitation Center requiring County clients in need of this level of care to continue to be referred to facilities out of Contra Costa County, away from natural community and family supports, for the duration of their need for this service.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 26-555 **Agenda Date:** 2/10/2026 **Agenda #:** C.46.

To: Board of Supervisors

From: Dr. Grant Colfax, Health Services Director

Report Title: Contract #23-888 with Evergreen Healthcare Partners, Inc.

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract #23-888 with Evergreen Healthcare Partners, Inc., a corporation, in an amount not to exceed $3,000,000, to provide consultation and technical assistance to the Health Services Department's Information Systems Unit in support of Contra Costa Health's (CCH) ccLink Electronic Health Record System for the period February 1, 2026 through January 31, 2029.

FISCAL IMPACT:
This Contract will result in contractual service expenditures of up to $3,000,000 over a three-year period and will be funded 100% by Hospital Enterprise Fund I revenues.

BACKGROUND:
This Contract meets the needs of CCH's Information Systems Unit by providing consultation, technical assistance, and temporary consultants in support of the ccLink Electronic Health Record System, including system optimization, information security, training, and application support. This support is imperative to business performance and strategy such as Epic Tapestry Improvement work.

This Contract is entered into under and subject to the following legal authorities: California Government Code §§ 31000. Health Services Personnel approved this Contract as a specialized services contract to ensure no conflicts with labor relations. A summary of service contract deliverables includes system optimization and configuration. The Health Services Department's Information Systems Contract Monitor staff meet on a regular basis to ensure monitoring and performance measures in the Contract are upheld. This Contractor was selected through the request for proposal (RFP) process on April 4, 2025.

Approval of this new Contract #23-888 will allow the Contractor to provide consultation, application and technical support, system optimization, information security, and training services through January 31, 2029.

CONSEQUENCE OF NEGATIVE ACTION:
If this Contract is not approved, the Department will not have access to Contractor's expert consultation and technical assistance in support of ccLink negatively affecting the unit's business performance and strategies, and patient care.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 26-556 **Agenda Date:** 2/10/2026 **Agenda #:** C.47.

To: Board of Supervisors

From: Dr. Grant Colfax, Health Services Director

Report Title: Amendment to Purchase Order with Atlassian US, Inc.

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Purchasing Agent, or designee, to execute on behalf of the Health Services Director, an amendment to purchase order #29472 with Atlassian US, Inc. to increase the payment limit by $33,694 to a new amount not to exceed $227,159 for Jira project management software licenses, with no change to the original term ending February 14, 2027.

FISCAL IMPACT:
Approval of this action will result in additional expenditures of up to $33,694 and will be funded by Hospital Enterprise Fund I revenues.

BACKGROUND:
Contra Costa Health (CCH) has successfully utilized Atlassian Jira since 2017. Jira was selected for its capabilities as a cloud-based work management tool which centralizes project details in real-time, facilitating the flow of up-to-date information across individuals, teams, and tools. After reviewing alternatives, Jira was chosen for its functionality and cost-effectiveness. The Department uses Jira for issue tracking and project management, managing the entire process of procurement requests, software tasks, features, and improvements from initial concept and prioritization to release.

The Atlassian Cloud Terms of Service require the County to indemnify Atlassian for any third-party claims resulting from the County's use of the services in violation of the Terms of Services. The terms exclude Atlassian from liability for lost data and limits Atlassian's liability to no more than the total amount paid or payable by the County in the twelve-month period prior to any claim. The Terms and Conditions permit Atlassian to modify the Terms and Conditions unilaterally with notice to County.

On January 9, 2024 the Board of Supervisors approved item C.55 to execute purchase order #29472 with Atlassian US, Inc., in an amount not to exceed $175,000, and ACCEPT Atlassian Cloud Terms of Services, for the purchase of Atlassian Jira work management software for the period from January 11, 2024, through February 14, 2027.

In June 2025, the Purchasing Agent executed an amendment to purchase order #29472 to increase the payment limit by $18,465 to a new amount not to exceed $193,465 to cover related subscription renewal cost increase. The agreement was not modified in connection with the increase.

On February 2, 2026 the Purchasing Agent approved the continued use of Atlassian US, Inc.

Approval of this action will allow the Department to cover the upcoming renewal for the Jira system, which the Department uses to manage and track procurement work. Since the original purchase order was executed in 2024, the license level has been upgraded to better meet operational needs, which contributes to the increased cost. After applying credits for unused time on the current subscription, the renewal amount results in a net total of $33,694.

CONSEQUENCE OF NEGATIVE ACTION:
If this action is not approved, the County may be unable to process the forthcoming Atlassian invoice in a timely manner, which could result in delayed payment and potential impacts to continued access to Jira Software licensing needed for procurement operations.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 26-557 **Agenda Date:** 2/10/2026 **Agenda #:** C.48.

To: Board of Supervisors

From: Dr. Grant Colfax, Health Services Director

Report Title: Rescind Board action of January 13, 2026 regarding a contract with Witt/Kieffer, Inc.

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
RESCIND Board action of January 13, 2026 (C.58), which authorized and approved execution of contract #23-833-1 with Witt/Kieffer Inc., a corporation, in an amount not to exceed $500,000 for executive leadership recruitment services for the Health Services Chief Financial Officer (CFO), the Contra Costa Health Plan (CCHP) Chief Operations Officer and the Contra Costa Regional Medical Center (CCRMC) Chief Operations Officer, for the period January 1, 2026 through December 31, 2026.

FISCAL IMPACT:
No fiscal impact. The contract will not be executed, and no funds will be expended.

BACKGROUND:
On January 13, 2026, the Board of Supervisors approved and authorized Contract #23-833-1 with Witt/Kieffer, Inc. to provide executive leadership recruitment services for the Health Services Chief Financial Officer (CFO), the Contra Costa Health Plan (CCHP) Chief Operations Officer and the Contra Costa Regional Medical Center (CCRMC) Chief Operations Officer, for the period January 1, 2026 through December 31, 2026.

The Department has since determined that these services will be provided by a different vendor and therefore recommends rescinding the prior Board action.

CONSEQUENCE OF NEGATIVE ACTION:
If the Board does not rescind the prior action, approval will remain on record, which could result in inaccurate accounting of contractual commitments. Rescinding the prior action ensures accurate financial records and frees up the funds for the new recruitment services contract.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 26-558 **Agenda Date:** 2/10/2026 **Agenda #:** C.49.

To: Board of Supervisors

From: Ann Elliott, Human Resources Director

Report Title: Contract Amendment for Consulting Services with Segal Consulting for the County's Health and Welfare Benefit programs

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

APPROVE and AUTHORIZE the Human Resources Director, or designee, to execute a contract amendment with the Segal Group, Inc., to increase the payment limit by $136,000 to a new payment limit of $526,000 for health and welfare benefit consulting services and extend the term through February 28, 2027.

FISCAL IMPACT:

The cost of this contract is fully funded through the Benefits Administration Fee which is charged to the Departments.

BACKGROUND:

Segal Consulting's contract was approved on February 28, 2023 in an amount not to exceed $390,000 to provide the County with consulting services for the Health and Welfare benefit programs, for the period March 1, 2023 through February 28, 2026, with two optional one-year renewals, pending approval to form by County Counsel.

Segal's collective expertise and understanding of the County's Health and Welfare benefit programs continue to provide data driven support for planning and communication of employee benefits including participants of the Joint Labor Management Benefits Committee.

The Segal Group, Inc, and its affiliates and subsidiaries, including the Segal Company (Western States), Inc. provides consulting services about benefit programs: 1) strategic review of all current health and welfare benefit programs including advice on industry best practices, trends and developments and benchmarking; 2) Benefits education and training to staff and committees as required by the County; 3) Technical review of all the County's employee benefits communications; 4) Negotiation of all annual vendor and insurance carrier renewals; 5) Actuarial services including budget projections; 6) Employee contribution strategies, Medicare Part D attestation, and reserve projections for self-funded plans; 7) Compliance assistance; 8) Employee benefits communications assistance; 9) Assistance with preparation of materials for labor negotiations; 10) Vendor management, including coordination of periodic meetings and resolution of service issues; 11)

Negotiation and evaluation of Health Plan performance guarantees; 12) RFP preparation and evaluation of responses for all health and welfare benefit plans; 13) Attendance at meetings, presentations, negotiation sessions and formal presentations to the County Board of Supervisors; and 14) Monitoring utilization data.

This is the first of the two one-year renewal options negotiated under the contract.

CONSEQUENCE OF NEGATIVE ACTION:

If this extension is not approved, the County will not be able to access the expertise and support of Segal Consulting to assist the County in providing the most appropriate benefits to employees and maintain compliance with all applicable legal requirements.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 26-559 **Agenda Date:** 2/10/2026 **Agenda #:** C.50.

To: Board of Supervisors

From: Marc Shorr, Information Technology Director

Report Title: Purchase Order with Carahsoft Technology Corp.

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

APPROVE and AUTHORIZE the Purchasing Agent, on behalf of the Chief Information Officer, to execute a purchase order with Carahsoft Technology Corp. in an amount not to exceed $23,000, for the purchase of LinkedIn Learning for Government for the period of April 19, 2026, through April 18, 2027.

FISCAL IMPACT:

The cost of this product is included in the Department's FY 25-26 budget. 100% User Departments.

BACKGROUND:

LinkedIn Learning for Government is a specialized version of LinkedIn Learning tailored for government organizations. It offers high-quality, multi-language content aimed at addressing the specific needs and challenges faced by government employees, and includes the following key features:

1. High-quality content: The platform provides a vast library of courses covering various topics such as leadership, technology, communication, and more, curated specifically for government professionals.
2. Multi-language support: Courses are available in multiple languages to cater to the diverse workforce within government organizations.
3. Unlimited access: Government employees with access to LinkedIn Learning for Government can enjoy unlimited access to the entire library of courses, allowing them to enhance their skills and knowledge at their own pace.
4. Accessibility from any device: The platform is accessible from any device with an internet connection, enabling users to learn anytime, anywhere.
5. Administrative tools: Administrators within government organizations have access to tools and features to manage user accounts, track progress, and monitor usage, ensuring effective implementation and utilization of the platform across the organization.

Overall, LinkedIn Learning for Government is a powerful tool which can empower County employees to enhance their skills and extend their depth of knowledge needed to excel in their roles and drive organizational success.

LinkedIn's Subscription Agreement and User Agreement include a limitation of liability clause which limits LinkedIn's liability for claims arising from the County's use of the service to the amount of fees paid. LinkedIn's Subscription Agreement also includes an indemnification from the County to LinkedIn for damages resulting the County's use of the service.

CONSEQUENCE OF NEGATIVE ACTION:

If this purchase is not approved, County staff will have a limited number of technical training options which can help strengthen existing technical knowledge, acquire new skills and remain updated on the latest technology trends.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 26-560 **Agenda Date:** 2/10/2026 **Agenda #:** C.51.

To: Board of Supervisors

From: Marc Shorr, Information Technology Director

Report Title: Purchase Order with Articulate Global, LLC

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

APPROVE and AUTHORIZE the Purchasing Agent, on behalf of the Chief Information Officer, to execute a purchase order with Articulate Global, LLC, subject to Articulate's Terms of Service, in an amount not to exceed $1,700 to purchase Articulate 360 Teams, a subscription service for an eLearning platform, for the period of January 12, 2026, through January 11, 2027.

FISCAL IMPACT:

The cost of this product is included in the Department's FY 25-26 budget. 100% User Departments.

BACKGROUND:

The Department of Information Technology (DoIT) plans to purchase Articulate 360 Teams, a robust e-learning solution tailored for organizations that create training content collaboratively. This platform enables multiple authors to co-develop courses, share reusable templates and assets, and efficiently manage user licenses through a centralized dashboard.

Articulate's Terms of Service includes a limitation of liability that caps Articulate's liability to the amount paid by County for the specific product given rise to the liability, at the amount of fees paid in the twelve-month period immediately preceding the event given rise to the liability. The Terms of Service also include indemnification provision from the County to Articulate for any claims arising out of the County's use of the program.

CONSEQUENCE OF NEGATIVE ACTION:

Without Articulate 360 Teams, collaboration may be more challenging, as team members would have limited ability to easily share work, manage licenses, and maintain consistency across courses.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 26-561 **Agenda Date:** 2/10/2026 **Agenda #:** C.52.

To: Board of Supervisors

From: Marc Shorr, Information Technology Director

Report Title: Department of Information Technology Records Retention.

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

APPROVE AND AUTHORIZE the ongoing destruction of certain County records maintained by the Department of Information Technology as follows: (1) personnel records that are no longer necessary for county purposes and are not otherwise required by law to be preserved may be destroyed at the direction of the Chief Information Officer seven years after employment ends; and (2) other records that are over five years old, are no longer necessary for county purposes, and are not otherwise required by law to be preserved, may be destroyed at the direction of the Chief Information Officer.

FISCAL IMPACT:

No Fiscal Impact.

BACKGROUND:

This request for a Records Retention Policy applies exclusively to the Department of Information Technology and establishes guidelines for the retention and lawful disposition of departmental records in accordance with applicable state statutes. The policy is intended to support effective records management while ensuring compliance with legal, administrative, and operational requirements.

To efficiently manage the volume of records continuously generated and received, including but not limited to electronic and paper files, the Department of Information Technology must dispose of unnecessary records and documents that have no apparent historical significance or further administrative or litigation value, are more than two years old, are not required to be maintained by state statute, and are no longer necessary or required for County purposes pursuant to Government Code section 26202.

For efficient records management, the Department of Information Technology must also dispose of personnel files that have been maintained for more than seven years after employment ends, have no apparent historical significance or further administrative or litigation value, are no longer required by law to be preserved, and are no longer necessary or required for County purposes pursuant to Labor Code section 1198.5(c)(1) and Government Code sections 12946 and 26202.

Government Code section 26202 provides that unless the law requires a record to be preserved, any record more than two years old may be destroyed without being photographed, microfilmed or otherwise reproduced if the Board determines by four-fifths (4/5) vote that the retention of such documents is no longer necessary or required for County purposes.

CONSEQUENCE OF NEGATIVE ACTION:

If the Board of Supervisors does not approve this recommendation, then the Department of Information Technology will not have a clearly specified records retention policy.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 26-562 **Agenda Date:** 2/10/2026 **Agenda #:** C.53.

To: Board of Supervisors

From: Marc Shorr, Information Technology Director

Report Title: Purchase Order with ePlus Technology, Inc.

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

APPROVE and AUTHORIZE the Purchasing Agent, on behalf of the Chief Information Officer, to execute a purchase order with ePlus Technology Inc, subject to the F5 Government Solutions LLC. Maintenance Terms and Conditions, in an amount not to exceed $50,000 for F5 Network hardware maintenance and support services for the period of March 12, 2026, through March 11, 2027.

FISCAL IMPACT:

The cost of this product is included in the Department's FY 25-26 budget. 100% user departments.

BACKGROUND:

ePlus Technology Inc. offers enterprise information technology solutions and strategic partnerships, with F5 Government Solutions, LLC. ("F5"), a leader in application and security solutions. The Department of Information Technology ("DoIT") Wide Area Network (WAN) staff utilizes F5's maintenance and support services to manage the County's BIG-IP platform. The BIG-IP includes a variety of products, such as Traffic Management, Application Delivery Controllers (ADC), Access Management, Security and Analytics and Monitoring, all designed to enhance the availability, security and performance of applications and services delivered across the County network.

F5 Government Solutions LLC's Maintenance Terms and Conditions limit F5's liability to the amount of fees paid under the agreement.

ePlus Technology was selected through a competitively bid process. The Department requested quotes from four vendors; two declined to participate. Among the submissions, ePlus offered the lowest bid.

CONSEQUENCE OF NEGATIVE ACTION:

If support is not renewed, the subscription for updating the Web Application Firewall (WAF) and Application Security Manager (ASM) will be impacted. The ASM safeguards mission-critical web infrastructure from web application attacks, including Layer 7 Denial of Service (DoS) /Distributed Denial of Service (DDoS), brute

force attacks, web scraping, and monitors protected web applications. Without support, DoIT will not be able to request assistance on behalf of the user departments in the event of an incident or attack.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 26-563 **Agenda Date:** 2/10/2026 **Agenda #:** C.54.

To: Board of Supervisors

From: Alison McKee, County Librarian

Report Title: APPROVE the amended Library Patron Conduct Policy and Suspension Policy, as recommended by the County Librarian.

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE the amended Library Patron Conduct Policy and Suspension policy, as recommended by the County Librarian.

FISCAL IMPACT:
No fiscal impact.

BACKGROUND:
The Contra Costa County Public Library seeks to provide materials and services to the public in an environment that is safe, pleasant and conducive to comfortable library use. No one may engage in conduct that interferes with anyone else's ability or right to use and benefit from library facilities. Anyone who engages in behavior that disrupts someone else's use of the library may be asked to leave the library. To ensure that all library visitors have a pleasant, productive and safe experience, all library visitors are required to adhere to the current Library Patron Conduct Policy, approved by the Board of Supervisors on April 21, 2015. As use of the library grows and changes, the Library sees the need to update the current Patron Conduct Policy to further clarify and define acceptable and unacceptable uses of library facilities, materials, and services. Additionally, the Library sees the need to update the current Suspension Policy (adopted by the Board of Supervisors in 2015). The Suspension Policy reinforces the Patron Conduct Policy and outlines actions to be taken by Library staff when the Patron Conduct Policy is violated; therefore, the Suspension Policy must be updated to remain in alignment with the updated Patron Conduct Policy. The amended Suspension Policy includes the option for the County Librarian to issue indefinite suspensions for library patrons who pose a serious threat to staff or the public and includes new appeal and reentry processes for patrons wishing to appeal or amend an indefinite suspension.

CONSEQUENCE OF NEGATIVE ACTION:
If not approved, the Library will continue to use the current Patron Conduct Policy and Suspension Policy, which do not adequately define the types of behaviors that are disallowed in library facilities. Additionally, the Library will not have an amended Suspension Policy, which will impede the County Librarian from imposing adequate suspensions for patrons who pose a serious threat to staff or the public.

CONTRA COSTA COUNTY
LIBRARY

Suspension Policy

Statement of Policy

The Contra Costa County Library has adopted a Patron Conduct Policy to help ensure the safety and security of library patrons and staff and a comfortable and enjoyable library experience for all in library facilities. Persons who violate the Patron Conduct Policy are subject to having their library privileges suspended, and, when appropriate, arrest.

Need for the Policy

This Suspension Policy gives the Contra Costa County Library a mechanism to protect the public and staff from disruptive, offensive or unsafe behavior in library facilities. The Suspension Policy also gives the library a mechanism to protect library property, equipment, and facilities.

Library Response to Violations

To ensure the safety of patrons and staff, the library reserves the right at all times to immediately eject a patron from a library facility who is engaged in any conduct that threatens the safety of any person or that is damaging to library property, equipment, or facilities. In addition, patrons who violate the Patron Conduct Policy may have their library privileges suspended, with the duration of the suspension dependent on severity of the violation.

The following is a summary of the types of behavior that could lead to library privileges being suspended, and the potential duration of the suspension. The examples provided are not exhaustive and are intended to serve only as a guide for library patrons and staff.

<u>Category 1: Conduct Potentially Leading to Suspension for One-Day to One-Week*</u>

Examples of Category 1 Behavior:

- Ignoring repeated staff warnings about disruptive behavior.
- Talking loudly, yelling, or using profanity.
- Disturbing or harassing other library patrons or library staff.
- Conducting unauthorized sales activities.
- Panhandling or soliciting donations.
- Not wearing shoes or a shirt, except for infants and toddlers. Not wearing bottoms.
- Misusing library equipment or facilities.
- Causing strong pervasive odors that constitute a nuisance to others.

*Prior to issuing a suspension, library staff will attempt to educate individuals about library policies and potential enforcement action.

Category 2: Conduct Potentially Leading to Suspension for One-Week to One-Month

Examples of Category 2 Behavior:

- An escalation or continuation of any disruptive behavior for which a suspension for a lesser period has already been imposed.
- Sexual conduct.
- Theft.

Category 3: Conduct Potentially Leading to Suspension for One-Month to Six-Months

Examples of Category 3 Behavior:

- An escalation or continuation of any disruptive behavior for which a suspension for a lesser period has already been imposed.
- Actions or words that would cause a reasonable person to fear for their personal safety or to feel distressed, alarmed or harassed. This behavior includes, but is not limited to, engaging in verbal abuse, including the use of racial slurs.
- Vandalizing library facilities, equipment, or materials.

Category 4: Conduct Potentially Leading to Suspension for Six-Months to One-Year

Examples of Category 4 Behavior:

- An escalation or continuation of any disruptive behavior for which a suspension for a lesser period has already been imposed.
- Aggressive or dangerous behavior.
- Physical violence.
- Bringing an item designed or intended to injure or harm people into the Library, unless explicitly permitted by law.

Category 5: Conduct Potentially Leading to Suspension for One-Year or Longer

Examples of Category 5 Behavior:

- An escalation or continuation of any disruptive behavior for which a suspension for a lesser period has already been imposed.
- Persistent aggressive or dangerous behavior.
- Physical violence.
- Brandishing a weapon of any kind in a threatening manner in the library or on library property.

Suspension Procedures

If staff determines that a person has engaged in severe or repeat misconduct and staff has determined that the individual's library privileges should be suspended, staff will issue a written suspension notice to the individual notifying them that their access to all Contra Costa County library facilities has been suspended. The notice will indicate the reason(s) for the suspension and its duration. If possible, the notice will be hand-delivered to the individual when the suspension is imposed. If it is not possible to hand-deliver the notice and the individual's name and address are known, the notice will be mailed to the individual. If the suspended individual is a minor, a copy of the suspension notice will be mailed to the parent or guardian of the individual.

If Library staff proposes a suspension duration of more than one year, a determination about the length of the suspension will be made jointly by the County Librarian and the County Administrator, or their designees. Once a determination is made, the same notification process set forth above will be followed.

Appeal Process

The appeal process applicable to a particular suspension depends on the duration of the suspension.

Suspension Period - One Year or Less

Anyone whose library privileges have been suspended for more than one week and up to one year may appeal the decision by submitting a written request to the County Librarian. The appeal must be received within a reasonable period after the imposition of the suspension. Appeals should be addressed to the County Librarian, Contra Costa County Library Administration, 777 Arnold Drive, Suite 210, Martinez, California 94553 or emailed to admin@library.cccounty.us. The County Librarian, or designee, may affirm, modify, or revoke any suspension. The County Librarian will respond in writing within 7 days.

Suspension Period - More Than One Year

Anyone whose library privileges have been suspended for more than one year may appeal the decision by submitting a written request to the County Librarian. The appeal must be received within one month after the imposition of the suspension. Appeals should be addressed to the County Librarian, Contra Costa County Library Administration, 777 Arnold Drive, Suite 210,

Martinez, California 94553. Once the written appeal has been received, the appeal will be considered by a review panel. The review panel will have an odd number of members and will be comprised of at least two library leaders from library jurisdictions other than Contra Costa County. The review panel may meet in person or online and may affirm, modify, or revoke the suspension. Appellants may attend the review panel meeting.

Post-Suspension Process

Anyone whose library privileges were suspended for more than one year is required to have a reentry meeting before returning to the library. Reentry meetings will be conducted jointly by the County Librarian and the County Administrator, or their designees. The purpose of the reentry meeting is to establish with reasonable certainty that the behavior that led to the suspension has been corrected and that the rights and safety of library patrons and staff are no longer threatened.

To schedule a reentry meeting, patrons must submit a written request for a reentry meeting by emailing admin@library.cccounty.us, or by mailing a written request to the County Librarian, Contra Costa County Library Administration, 777 Arnold Drive, Suite 210, Martinez, California 94553. A reentry meeting will be scheduled within 30 days after the receipt of the request. Reentry meetings can be requested upon the expiration of the original suspension and, if reentry is not granted, no more often than every six months thereafter.

Enforcement

If any person named in a suspension notice enters a Contra Costa County library before the return date listed on the suspension notice, they will be asked to leave. If the individual does not leave when asked, staff will contact local law enforcement.

Individuals who enter a Contra Costa County library before the return date listed on their suspension notice are subject to arrest for trespass under California Penal Code Section 602.

CONTRA COSTA COUNTY
LIBRARY

Patron Conduct Policy

Purpose of Policy

This policy is intended to protect the rights and safety of library patrons and staff and preserve and protect the library's materials, facilities, and property.

This policy recognizes that the preservation of libraries as places to learn and share ideas demands that people demonstrate dignity, respect, and tolerance for others and their views.

Statement of Policy

The Contra Costa County Library provides library materials and services to the public with the goal of creating a community gathering place that welcomes everyone. We are proud of our commitment to inclusivity, diversity, and creating community. To ensure a welcoming environment for all, no one may engage in conduct that interferes with anyone else's ability or right to use and benefit from library facilities.

Anyone who engages in illegal activity, willful or repeated violations of this policy, or conduct that disrupts someone else's use of the library, or the ability of library staff to perform their duties, is subject to being removed from the library and to having their library privileges suspended. Actions or words that would cause a reasonable person to fear for their personal safety or to feel distressed, alarmed, or harassed are not allowed.

This policy will be enforced by library staff and, when appropriate, local police. Where authorized by federal, state, or local law, conduct violations may result in arrest.

Conduct Requirements

Patrons must be engaged in activities associated with the use of a public library when in the building. Patrons who are not engaged in reading, studying, quiet conversation, working, using library materials or equipment, or participating in a library program or activity may be required to leave the building.

<u>Safe Environment</u>

The following activities or behaviors are prohibited on library property:

1. Any act that constitutes a criminal offense under federal, state, or local law, including but not limited to:

a. Engaging in prohibited activities that relate to material involving the sexual exploitation of minors.

b. Using the Internet for activities that violate California law, including engaging in activities that are harmful to minors when children are present.

c. Theft.

d. Vandalizing library property or causing damage to any other person's property.

e. Indecent exposure, public sexual indecency, lewd acts, or any other sexual offense.

f. Gambling.

g. Disorderly conduct, including, but not limited to, fighting, challenging someone to fight, engaging in violent or seriously disruptive behavior, or threatening or intimidating library staff or any library patron.

h. Harassing or stalking library staff or any library patron. This conduct includes, but is not limited to, persistent staring or gestures that would cause a reasonable person to fear for their personal safety or feel distressed, alarmed, or harassed.

i. Trespassing, including knowingly entering the library when your access and use of library facilities has been suspended, and entering restricted areas of the library without permission.

j. Camping on library grounds.

2. Bringing guns, knives, other than pocketknives, or other items designed or intended to injure or harm people, unless explicitly permitted by law.

3. Consuming or selling alcoholic beverages or controlled substances.

4. Smoking, rolling, or using any tobacco product, marijuana, synthetic tobacco, synthetic marijuana, or electronic or other e-cigarettes (smokeless or equivalent).

5. Using wheeled devices inside the library or on library grounds, except in designated areas, including using skateboards, roller-skates, bicycles, motorized or non-motorized scooters, and shopping carts. This restriction does not apply to Americans with Disabilities assistive devices or baby strollers.

6. Entering a library building with animals, except for Assistance Animals, as defined in Section 14331 of the California Code of Regulations.

7. Creating tripping hazards, or blocking aisles, exits or entrances.

8. Bringing into the library, or attempting to place or store in the library, any item that:

    a. Interferes with library operations.

    b. Creates a safety hazard.

    c. Denies space for other patrons.

    d. Blocks aisles.

    e. Blocks access to or exit from the building.

    f. Is unsanitary or foul-smelling.

    g. Leaving packages, backpacks, luggage, or any other personal items unattended. Unattended items are subject to removal without notice.

9. Leaving young children unattended anywhere in the library, including the children's area. (Children under the age of eight must be accompanied by an individual who is at least 15 years old. See the Contra Costa County Public Library Unattended Children Policy.)

Personal Behavior

The following actions or behaviors are not allowed on library property:

1. Failing to comply with:

    a. A library staff member's request to stop disruptive behavior.

    b. This Patron Conduct Policy.

    c. Any other library policy.

2. Behaving in a manner that disrupts library operations, including but not limited to:

    a. Loud talking, yelling, or profanity.

    b. Running or physical horseplay.

    c. Any sexual conduct.

3. Strong, pervasive odors, including body odors, clothing odors, and odors caused by food, perfume, or cologne that are injurious to health, indecent, offensive to the senses, or an obstruction to the free use or comfortable enjoyment of library premises by other library patrons or library staff.

4. Inappropriate use of water fountains or restrooms, including, but not limited to, soliciting or engaging in sexual conduct, bathing, or washing clothes.

5. Lying down or monopolizing space or equipment, e.g., using more than one seat per person.

6. Panhandling, soliciting donations or contributions.

7. Conducting unauthorized sales activities.

8. Consuming food or beverages in the library, other than in designated areas.

9. Not wearing shoes or shirts, except for infants or toddlers. Not wearing bottoms.

10. Disturbing other library patrons or library staff. This includes, but is not limited to, creating noise, including loud cell phone use or loud conversation.

11. Harassing other library patrons or library staff. This includes, but is not limited to, engaging in physical or verbal abuse, including the use of racial slurs.

Misuse of Equipment and Facilities

The following actions or behaviors are not allowed on library property:

1. Manipulating or bypassing library systems and procedures, such as those that regulate computer use.

2. Tampering with, disrupting, or altering computer equipment, software, or data.

3. Unplugging library equipment.

4. Using furniture for anything other than its intended purpose (e.g., using a table as a foot stool).

5. Misusing library spaces that are designated for particular uses. These spaces vary by branch, and include:

    a. Children's rooms, which are reserved for children under the age of 12 and their caregivers, and patrons using the children's collections at the discretion of library staff.
    b. Teen rooms, which are reserved for patrons who are aged 12 through 18, or patrons using the teen collection at the discretion of library staff
    c. Certain computers and study rooms that are designated for patrons who are working individually and quietly.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 26-564 **Agenda Date:** 2/10/2026 **Agenda #:** C.55.

To: Board of Supervisors

From: Alison McKee, County Librarian

Report Title: APPROVE and AUTHORIZE the Librarian, or Designee, to close Prewett Library in Antioch on Thursday February 12th, 2026, in recognition of Lincoln's Birthday. (no fiscal impact)

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Librarian, or designee, to close the Prewett Library in Antioch on Thursday February 12th, 2026, in recognition of Lincoln's Birthday.

FISCAL IMPACT:
No fiscal impact.

BACKGROUND:
The Antioch Community Center, where the Prewett Library is located, will be closed Thursday February 12th in recognition of Lincoln's Birthday. The County Librarian is requesting approval to close the Prewett Library on this day. Permanent staff will be given the option to work elsewhere in the Library system or to use paid leave accruals during the closure.

CONSEQUENCE OF NEGATIVE ACTION:
The Prewett Library will remain open on February 12th, however it will not be accessible to the public since the community center will be closed.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: RES 2026-37 **Agenda Date:** 2/10/2026 **Agenda #:** C.56.

To: **Board of Supervisors**

From: Warren Lai, Public Works Director/Chief Engineer

Report Title: Approve and Authorize to fully close a portion of Purdue Avenue on March 2, 2026, from 7:30 a.m. through 5:30 p.m., for the purpose of a utility pole replacement, Kensington area.

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
ADOPT Resolution approving and authorizing the Public Works Director, or designee, to fully close a portion of Purdue Avenue on March 2, 2026, from 7:30 a.m. through 5:30 p.m., for the purpose of a utility pole replacement, Kensington area. (District I)

FISCAL IMPACT:
No fiscal impact.

BACKGROUND:
Due to the narrow road width of Purdue Avenue at the work site, Pacific Gas & Electric Company (PG&E) has requested the road closure to replace the existing utility pole. There is insufficient road width to set up and operate boom trucks and safely maintain through traffic. Applicant shall follow guidelines set forth by the Public Works Department. This request was previously approved by the Board of Supervisors on December 16, 2025, and in Resolution No. 2025-414. The applicant has submitted a new request due to an unexpected weather event during construction.

CONSEQUENCE OF NEGATIVE ACTION:
Applicant will be unable to close the road to complete planned utility pole replacement.

c: Alex Vazquez-Engineering Services, Marke Smith-Engineering Services, Devon Patel-Engineering Services, Bob Hendry-Engineering Services, Michelle Cordis-Maintenance, Kensington Police Department, Kensington Fire Protection District

THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA

and for Special Districts, Agencies and Authorities Governed by the Board

IN THE MATTER OF Approving and authorizing the Public Works Director, or designee, to fully close a portion of Purdue Avenue on March 2, 2026, from 7:30 a.m. through 5:30 p.m., for the purpose of a utility pole replacement, Kensington area. (District I)

RC26-4

NOW, THEREFORE, BE IT RESOLVED that permission is granted to Pacific Gas & Electric Company to fully close a portion of Purdue Avenue, between Beloit Avenue and Kenyon Avenue, except for emergency traffic, local residents, US Postal Service and garbage trucks, on March 2, 2026, from 7:30 a.m. through 5:30 p.m., subject to the following conditions:

1. Traffic will be detoured via roads identified in a traffic control plan, reviewed by the Public Works Department. Emergency vehicles, residents within the construction area and essential services will be allowed access as required.

2. All signing to be in accordance with the California Manual on Uniform Traffic Control Devices.

3. Pacific Gas & Electric Company shall comply with the requirements of the Ordinance Code of Contra Costa County.

4. Provide the County with a Certificate of Insurance in the amount of $1,000,000.00 for Comprehensive General Public Liability which names the County as an additional insured prior to permit issuance.

5. Notify and obtain approval for the planned closure from the Kensington Police Department and Kensington Fire Protection District.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: RES 2026-38 **Agenda Date:** 2/10/2026 **Agenda #:** C.57.

To: **Board of Supervisors**

From: Warren Lai, Public Works Director/Chief Engineer

Report Title: Approve and Authorize to fully close a portion of Windsor Avenue on March 16, 2026, from 7:30 a.m. through 5:30 p.m., for the purpose of a utility pole replacement, Kensington area.

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
ADOPT Resolution approving and authorizing the Public Works Director, or designee, to fully close a portion of Windsor Avenue, between 9 Windsor Avenue and 25 Westminster Avenue, on April 8, 2026, from 7:30 a.m. through 5:30 p.m., for the purpose of replacing a utility pole, Kensington area. (District I)

FISCAL IMPACT:
No fiscal impact.

BACKGROUND:
Due to the narrow road width of Windsor Avenue at the work site, Pacific Gas & Electric Company (PG&E) has requested the road closure to replace an existing utility pole. There is insufficient road width to setup and operate boom trucks and safely maintain through traffic. Applicant shall follow guidelines set forth by the Public Works Department.

CONSEQUENCE OF NEGATIVE ACTION:
Applicant will be unable to close the road to complete the planned utility pole replacement.

c: Alex Vazquez-Engineering Services, Marke Smith-Engineering Services, Devon Patel-Engineering Services, Bob Hendry-Engineering Services, Michelle Cordis-Maintenance, Kensington Police Department, and Kensington Fire Protection District

THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA

and for Special Districts, Agencies and Authorities Governed by the Board

IN THE MATTER OF Approving and authorizing the Public Works Director, or designee, to fully close a portion of Windsor Avenue, between 9 Windsor Avenue and 25 Westminster Avenue, on April 8, 2026, from 7:30 a.m. through 5:30 p.m., for the purpose of replacing a utility pole, Kensington area. (District I)

RC26-3

NOW, THEREFORE, BE IT RESOLVED that permission is granted to Pacific Gas & Electric Company to fully close Windsor Avenue, between 9 Windsor Avenue and 25 Westminster Avenue, except for emergency traffic, local residents, US Postal Service and garbage trucks, on March 16, 2026, from 7:30 a.m. through 5:30 p.m., subject to the following conditions:

1. Traffic will be detoured via roads identified in a traffic control plan, reviewed by the Public Works Department. Emergency vehicles, residents within the construction area and essential services will be allowed access as required.

2. All signing to be in accordance with the California Manual on Uniform Traffic Control Devices.

3. Pacific Gas & Electric Company shall comply with the requirements of the Ordinance Code of Contra Costa County.

4. Provide the County with a Certificate of Insurance in the amount of $1,000,000.00 for Comprehensive General Public Liability which names the County as an additional insured prior to permit issuance.

5. Notify and obtain acknowledgements of the planned closure from the Kensington Police Department and Kensington Fire Protection District.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: RES 2026-39 **Agenda Date:** 2/10/2026 **Agenda #:** C.58.

To: **Board of Supervisors**

From: Warren Lai, Public Works Director/Chief Engineer

Report Title: Approve and Authorize to fully close a portion of Yale Avenue on April 8, 2026, from 7:30 a.m. through 5:30 p.m., for the purpose of two utility pole replacements, Kensington area.

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
ADOPT Resolution approving and authorizing the Public Works Director, or designee, to fully close a portion of Yale Avenue, between 203 Yale Avenue and 247 Yale Avenue, on April 8, 2026, from 7:30 a.m. through 5:30 p.m., for the purpose of replacing two utility poles, Kensington area. (District I)

FISCAL IMPACT:
No fiscal impact.

BACKGROUND:
Due to the narrow road width of Yale Avenue at the work site, Pacific Gas & Electric Company (PG&E) has requested the road closure to replace two existing utility poles. There is insufficient road width to setup and operate boom trucks and safely maintain through traffic. Applicant shall follow guidelines set forth by the Public Works Department.

CONSEQUENCE OF NEGATIVE ACTION:
Applicant will be unable to close the road to complete the planned utility pole replacements.

c: Alex Vazquez-Engineering Services, Marke Smith-Engineering Services, Devon Patel-Engineering Services, Bob Hendry-Engineering Services, Michelle Cordis-Maintenance, Kensington Police Department, and Kensington Fire Protection District

THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA

and for Special Districts, Agencies and Authorities Governed by the Board

IN THE MATTER OF Approving and authorizing the Public Works Director, or designee, to fully close a portion of Yale Avenue, between 203 Yale Avenue and 247 Yale Avenue, on April 8, 2026, from 7:30 a.m. through 5:30 p.m., for the purpose of replacing two utility poles, Kensington area. (District I)

RC26-2

NOW, THEREFORE, BE IT RESOLVED that permission is granted to Pacific Gas & Electric Company to fully close Yale Avenue, between 203 Yale Avenue and 247 Yale Avenue, except for emergency traffic, local residents, US Postal Service and garbage trucks, on April 8, 2026, from 7:30 a.m. through 5:30 p.m., subject to the following conditions:

1. Traffic will be detoured via roads identified in a traffic control plan, reviewed by the Public Works Department. Emergency vehicles, residents within the construction area and essential services will be allowed access as required.

2. All signing to be in accordance with the California Manual on Uniform Traffic Control Devices.

3. Pacific Gas & Electric Company shall comply with the requirements of the Ordinance Code of Contra Costa County.

4. Provide the County with a Certificate of Insurance in the amount of $1,000,000.00 for Comprehensive General Public Liability which names the County as an additional insured prior to permit issuance.

5. Notify and Obtain acknowledgements of the planned closure from the Kensington Police Department and Kensington Fire Protection District.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 26-565 **Agenda Date:** 2/10/2026 **Agenda #:** C.59.

To: Board of Supervisors

From: Warren Lai, Public Works Director/Chief Engineer

Report Title: Payment to the City of Lafayette to fund emergency repairs on a storm drain culvert at Reliez Valley Road and Withers Avenue, Lafayette area.

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the County Auditor-Controller to issue a payment in the amount of $35,445 from the Local Road Fund payable to the City of Lafayette, under the equitable relief theory of quantum meruit, for invoice, dated January 12, 2026, to fund emergency repairs on a storm drain culvert at Reliez Valley Road and Withers Avenue in Lafayette.

FISCAL IMPACT:
This payment of $35,445 will be funded by 100% Local Road Funds. (Project No. 0672-6U2512)

BACKGROUND:
The Contra Costa County Public Works Department (Public Works) maintains roads and storm drains in unincorporated portions of Lafayette.

On December 10, 2024, Public Works was notified that a storm drain culvert near the intersection of Reliez Valley Road and Withers Avenue in Lafayette was damaged and required replacement. Because the storm drain culvert crosses both incorporated and unincorporated portions of Contra Costa County (County), Public Works notified the City of Lafayette (City).

The total length of the repair was approximately 135 lineal feet, with approximately 35 lineal feet, or 29 percent, within County right-of-way. Most of the work was located within the City, so the City took the lead in completing the repairs. Under the City's contract procedures, FJ&I Engineering Inc. was mobilized to replace the damaged culvert. Public Works issued an encroachment permit for FJ&I Engineering Inc. to replace the portion of the storm drain within County right-of-way. The storm drain repair was completed on August 13, 2025.

Public Works received the attached invoice, dated January 12, 2026, from the City and is in agreement with the invoice for the repairs. Public Works requests Board authorization to provide the $35,445 payment to the City. Under the equitable relief theory of quantum meruit, where a person provides a service without a valid contract to the benefit of the recipient, the provider is entitled to recover the reasonable value of the services it provided.

CONSEQUENCE OF NEGATIVE ACTION:

Without Board approval, Public Works will not be able to issue payment to the City to fund the emergency repairs.

City of Lafayette
Public Works Services
Remittance Address: 3001 Camino Diablo, Lafayette, CA 94549
Telephone: 925-934-3908, Fax: 925-934-3662

BILLING INVOICE

Accident Address/Location: Reliez Valley Rd. and Withers Rd., CA 94549 - **Storm Drain Project**
Billing Address: Att: Mr. Ronald Lai
Contra Costa County Public Works Department
2475 Waterbird Way
Martinez, CA 94553
Email: Ronald.Lai@pw.cccounty.us

Work Order Number: **Lafayette WO #24-1617**

Invoice Date: 1/12/26 Incident Date 8/13/2025
Due Date: 2/13/26

Contract Hourly Labor

	Position	Description	Hours	Cost/Hour	Total Cost
1	N/A				$0.00
	Total		0.0		$0.00

Equipment

	Item	Hours	Cost/Hour	Total Cost
1	N/A			$0.00
2				$0.00
	Total	0		$0.00

Contractors, Materials & Misc.

	Description	Qty	Cost	Total Cost
1	**FJ&I Engineering** Replace approximately 18" CMP pipe with HDPE and other tasks required by County Inspector. Shared project between CCC and City of Lafayette. (County portion $35,445. City portion $65,755.)	1	$35,445.00	$35,445.00
	Total	1		$35,445.00

City Administration & Incidentals

	Employee	Position	Hours	Cost/Hour	Total Cost
1	N/A	Staff time and incidentals (includes investigation, project coordination, claim management, etc.)		$150.00	***waived***
	Total		-		

Total	**$35,445.00**

Make check payable to: City of Lafayette

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 26-566 **Agenda Date:** 2/10/2026 **Agenda #:** C.60.

To: Board of Supervisors

From: Warren Lai, Public Works Director/Chief Engineer

Report Title: Contract with LEHR Upfitters OPCO, LLC for Emergency Vehicle Upfitting Services for County Vehicles, Countywide.

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a contract with LEHR Upfitters OPCO, LLC, in an amount not to exceed $3,000,000, to provide emergency vehicle upfitting services for County vehicles, for the period of May 1, 2026 through April 30, 2029, Countywide.

FISCAL IMPACT:
100% Fleet Internal Service Fund

BACKGROUND:
The Public Works Fleet Services Division purchases and outfits all emergency service vehicles for the County. This includes vehicles from the Sheriff, Public Works, Animal Services, Probation, District Attorney and Health Services Departments. The Sheriff's vehicles take up the vast majority of this commodity. Outfitting includes lights, sirens, controllers, electronics, wiring, and other hard parts such as partitions, consoles, and trunk slider trays.

In September 2025, the Public Works Department conducted a formal solicitation for emergency vehicle upfitting services for County vehicles, posting the Request for Proposal on BidNet Direct (RFP_F-Contr-0000000123). LEHR Upfitters OPCO, LLC d/b/a LEHR was one of the two bidders and LEHR Upfitters OPCO, LLC d/b/a LEHR was awarded the contract.

Fleet Services is requesting approval of a service contract with LEHR Upfitters OPCO, LLC d/b/a LEHR for the term May 1, 2026 through April 30, 2029 in the amount of $3,000,000.

CONSEQUENCE OF NEGATIVE ACTION:
If this contract is not approved, emergency vehicle upfitting services for County vehicles will not be available, which will impact vehicles and the operations of multiple Public Works Departments, Countywide.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 26-567 **Agenda Date:** 2/10/2026 **Agenda #:** C.61.

To: Board of Supervisors

From: Warren Lai, Public Works Director/Chief Engineer

Report Title: Amendment No. 4 with Charles Kopp Inc. d/b/a Continental Electric

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a contract amendment with Charles Kopp Inc. d/b/a Continental Electric, effective February 1, 2026, to increase the payment limit by $500,000 to a new payment limit of $3,750,000 and increase the rates with no change to the contract term, for on-call electrical services at various County sites and facilities, Countywide.

FISCAL IMPACT:
Facilities Maintenance Budget. (100% General Fund)

BACKGROUND:
The Public Works Department, Facilities Services is responsible for the electrical repair of all County sites and facilities. Electrical contracts are divided among specialized fields which include but are not limited to: building electrical, airport electrical, traffic signals, and traffic loop installation. On-call electrical contracts are on an as-needed basis and utilized for repairs.

Government Code Section 25358 authorizes the County to contract for maintenance and upkeep of County facilities. Originally bid on BidSync #2107-493, Charles Kopp Inc. d/b/a Continental Electric, was one of three contractors awarded for this contract.

The original contract payment limit awarded was $2,250,000 and the contract term was February 1, 2022 through January 31, 2025. Amendment No. 1, effective February 1, 2024, increased the hourly rates according to the terms of the contract. Amendment No. 2, effective January 1, 2025, increased the payment limit to $3,250,000, updated the rate sheet, and extended the term from January 31, 2025 to January 31, 2027. Amendment No. 3, effective February 1, 2025, updated the rates according to the terms of the contract.

Facilities Services is requesting Amendment No. 4 with Charles Kopp Inc. d/b/a Continental Electric to be approved, increasing the payment limit to $3,750,000 and increasing the rates for on-call electrical services.

CONSEQUENCE OF NEGATIVE ACTION:
Without the approval of this Contract Amendment No. 4, the current contract with Charles Kopp Inc. d/b/a Continental Electric may run out of funds, and future electrical services with this contractor may not be available.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 26-568 **Agenda Date:** 2/10/2026 **Agenda #:** C.62.

To: Board of Supervisors

From: Warren Lai, Public Works Director/Chief Engineer

Report Title: Contract for Property Ownership and Development Scenario Analysis and Reporting Services

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Public Works Director or designee, to execute a contract containing modified indemnification with CTY Housing, INC. in an amount not to exceed $25,000 to provide property ownership and development scenario analysis and reporting services for the period of February 10, 2026, through February 9, 2029.

FISCAL IMPACT:
100% General Fund

BACKGROUND:
CTY Housing, INC., was selected to provide property ownership and development scenario analysis and reporting services to identify and analyze key advantages and disadvantages to various public and private partnership models. Their services are needed to assist the County in making decisions regarding facilities supporting people who are homeless, chronically homeless and/or have behavioral needs such as substance abuse and mental illness.

The contract contains a special condition modifying Paragraph 18 (Indemnification) of the General Conditions. The modified paragraph has been reviewed and approved by County Counsel.

CONSEQUENCE OF NEGATIVE ACTION:
Contra Costa County will not receive the analysis and reports it requires to make informed decisions regarding facilities supporting people who are homeless, chronically homeless and/or have behavioral needs such as substance abuse and mental illness.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 26-569 **Agenda Date:** 2/10/2026 **Agenda #:** C.63.

To: Board of Supervisors

From: Warren Lai, Public Works Director/Chief Engineer

Report Title: APPROVE the 2026 Countywide Surface Treatment and Curb Ramp Projects

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE the 2026 Countywide Surface Treatment and Curb Ramp Projects WO#2040, WO#2041, CP#25-47 (Project) and AUTHORIZE the Public Works Director, or designee, to advertise the Projects, Countywide. [County Project No. WO2040, WO2041 DCD-CP#25-47] (District II and V).

DETERMINE that this activity is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301(c).

DIRECT the Director of Department of Conservation and Development (DCD), or designee, to cause a CEQA Notice of Exemption (NOE) to be filed with the County Clerk and State Clearinghouse, and

AUTHORIZE the Public Works Director, or designee, to arrange for payment of a $50 fee to the County Clerk for filing the NOE.

FISCAL IMPACT:
Estimated Project cost: $10,700,000.00. (100% Local Road Funds.)

BACKGROUND:
The purpose of the projects is to perform preventative maintenance and rehabilitation of roads throughout the County using routine pavement surface treatments. The project will apply a slurry seal, mill and overlay, and/or reconstruct various roads in areas such as, but not limited to, Crockett, Rodeo, Port Costa, Danville, Blackhawk and Diablo. Additionally, a portion of Rodeo Creek Trail (along Rodeo Creek) from Seventh Street to Willow Avenue will be treated with a slurry seal. Prior to the surface treatments, pavement preparation, consisting of weed spraying, crack sealing, base failure repairs, leveling, patching, and/or edge grinding, may be necessary. Replacement of existing curb ramps and/or curb work in compliance with the American with Disabilities Act may be performed in these areas. Work may also include striping for Bicycle facilities and replacing existing thermoplastic stripes and pavement markings along Viewpoint Boulevard in Rodeo. Construction is anticipated to begin in Summer 2026 and last approximately five months. The project will maintain the existing drainage pattern and will not create new impervious areas. Appropriate Best Management Practices (BMPs) will be implemented to protect storm drain inlets. A temporary traffic control system will be implemented during construction. Residential streets will be closed for up to approximately four hours to apply road surface treatments and to provide sufficient time for it to adhere to the road surface. Residents will be notified prior to

street closures and if night and weekend work may be needed. “No Parking” signs will be posted the day before actual road surface treatment application. Emergency vehicles will have access at all times. Vegetation trimming and tree removal may be necessary.

The project consists of minor alterations, involving negligible or no expansion of use to existing roads, including performing preventative maintenance and repairs pursuant to Article 19, Section 15301(c) of the CEQA Guidelines.

CONSEQUENCE OF NEGATIVE ACTION:
Delay in approving the project may result in a delay of design and construction, and may jeopardize funding.

CALIFORNIA ENVIRONMENTAL QUALITY ACT

Notice of Exemption

To: ☒ Office of Land Use and Climate Innovation
State Clearinghouse
1400 Tenth Street, Room 113
Sacramento, CA 95814

☒ County Clerk, County of Contra Costa

From: Contra Costa County
Department of Conservation and Development
30 Muir Road
Martinez, CA 94553

Project Title: 2026 Countywide Surface Treatment and Curb Ramp, WO#2040 & WO#2041, CP#25-47

Project Applicant: Contra Costa County Public Works Dept., 255 Glacier Drive, Martinez, CA 94553,
Contact: Christian Montoya, (925) 313-2176, christian.montoya@pw.cccounty.us

Project Location: Various roads and sidewalks in unincorporated areas Countywide.

Lead Agency: Department of Conservation and Development, 30 Muir Road, Martinez, CA 94553

Contact Person: Syd Sotoodeh (925) 655-2877 syd.sotoodeh@dcd.cccounty.us

Description of Nature, Purpose, and Beneficiaries of Project: The purpose of the project is to perform preventative maintenance and rehabilitation of roads throughout the County using routine pavement surface treatments. The project will apply a slurry seal, microsurface seal, cape seal, mill and overlay, and/or reconstruct various roads in areas such as, but not limited to, Crockett, Rodeo, Port Costa, Danville, Blackhawk and Diablo. Additionally, a portion of Rodeo Creek Trail (along Rodeo Creek) from Seventh Street to Willow Avenue will be treated with a slurry seal. Prior to the surface treatments, pavement preparation, consisting of weed spraying, crack sealing, base failure repairs, leveling, patching, and/or edge grinding, may be necessary. Replacement of existing curb ramps and/or curb and gutter work in compliance with the Americans with Disabilities Act (ADA) may be performed in these areas. Work may also include striping for Bicycle facilities and replacing existing thermoplastic stripes and pavement markings along Viewpoint Boulevard in Rodeo. Construction is anticipated to begin in Summer 2026 and last approximately five months. The project will maintain the existing drainage pattern and will not create new impervious areas. Appropriate Best Management Practices (BMPs) will be implemented to protect storm drain inlets. A temporary traffic control system will be implemented during construction. Residential streets will be closed for up to approximately four hours to apply road surface treatments and to provide sufficient time for it to adhere to the road surface. Residents will be notified prior to street closures and if night and weekend work may be needed. "No Parking" signs will be posted the day before actual road surface treatment application. Emergency vehicles will have access at all times. Vegetation trimming and tree removal may be necessary.

Name of Public Agency Approving Project: Contra Costa County

Name of Person or Agency Carrying Out Project: Contra Costa County Public Works Department

Exempt Status:

☐ Ministerial Project (Sec. 21080[b][1]; 15268)
☐ Declared Emergency (Sec. 21080[b][3]; 15269[a])
☐ Emergency Project (Sec. 21080[b][4]; 15269[b][c])
☒ Categorical Exemption (Sec. 15301[c])
☐ General Rule of Applicability (Sec. 15061[b][3])
☐ Other Statutory Exemption (Sec.)

Reason why project is exempt: The project consists of minor alterations, involving negligible or no expansion of use to existing roads and sidewalks, including performing preventative maintenance/repairs and ADA compliance pursuant to Article 19, Section 15301(c) of the CEQA Guidelines.

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? ☐ Yes ☐ No

Signature: Syd Sotoodeh Title: Senior Planner Date: January 26, 2026

Contra Costa County Department of Conservation and Development

☒ Signed by Lead Agency ☐ Signed by Applicant

Applicant

Christian Montoya
255 Glacier Drive
Martinez, CA 94553
(925) 313-2176

Department of Fish and Wildlife Fees Due

☐ De Minimis Finding - $0
☒ County Clerk - $50
☐ Conservation and Development - $25

Total Due: _____ Receipt #: _____

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at LCI: _____

Form Revised 2025

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 26-570 **Agenda Date:** 2/10/2026 **Agenda #:** C.64.

To: Board of Supervisors

From: Warren Lai, Public Works Director/Chief Engineer

Report Title: APPROVE the San Pablo Dam Road - Storm Drain and Pavement Repair Project and take related actions under CEQA, Orinda area.

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

APPROVE the San Pablo Dam Road - Storm Drain and Pavement Repair Project (Project) and AUTHORIZE the Public Works Director, or designee, to advertise the Project, Orinda area. [Project No. 0672-6U6265] DCD-CP# 23-19 (District 1), and

FIND, on the basis of the whole record, including the proposed Initial Study/Mitigated Negative Declaration and any comments received and staff responses thereto, that there is no substantial evidence the Project may have significant effect on the environment, and that the Mitigated Negative Declaration (MND) reflects the independent judgment and analysis of the lead agency, Contra Costa County (County).

ADOPT the MND and Mitigation and Monitoring Reporting Program (MMRP) for the Project.

SPECIFY that the Contra Costa County Public Works Director is the custodian of the documents and other material that constitute the record of proceedings upon which the Board's decision is based, and that the record of proceedings is located at 255 Glacier Drive, Martinez, CA.

DIRECT the Director of Conservation and Development (DCD), or designee, to file a Notice of Determination (NOD) with the County Clerk, and,

AUTHORIZE the Public Works Director, or designee, to arrange for payment of $3,043.75 for California Department of Fish and Wildlife fees, and a $50 fee to the County Clerk for filing the NOD.

FISCAL IMPACT:

Estimated Project cost: $7,700,000. 82% Federal Emergency Relief Program, 18% Local Road Funds.

BACKGROUND:

The purpose of the project is to replace the damaged storm drain system under San Pablo Dam Road located 1.2 miles west of Wildcat Canyon Road using trenchless pipe replacement methods, including pipe ramming and

jack and bore. Two proposed 66-inch steel casing pipes will be rammed through two existing 72-inch corrugated metal pipes which will be used to guide the casings upstream to downstream. An additional 48-inch culvert will be jacked and bored through the embankment to maintain existing hydrologic and hydraulic conditions. An existing 36-inch overflow pipe will be abandoned in place by capping and backfilling. Additionally, the project will repair the damaged roadway embankment by reconstructing the concrete headwall and flume, grouting of the compromised soil beneath the roadway, and roadway rehabilitation.

CONSEQUENCE OF NEGATIVE ACTION:

Delay in approving the project may result in a delay of design, construction, and may jeopardize funding.

Contra Costa County
Public Works
Department

Warren Lai, Director
Deputy Directors
Stephen Kowalewski, Chief
Allison Knapp
Sarah Price
Carrie Ricci
Joe Yee

Errata for San Pablo Dam Road Storm Drain and Pavement Repair Final IS/MND
January 2026

There is minor technical information that the County added in redline to the Final IS/MND related to biological resources. None of these changes required recirculation under CEQA Guidelines Section 15073.5. On pages 29 and 30 of the final IS/MND changes are shown in redline which explain that the presence of special-status bats was evaluated and have low potential to occur. On page 35 of the Final IS/MND and on page 7 of the Final Mitigation and Monitoring Report (MMRP), Mitigation Measure Bio-1g was replaced with equal or more effective measures pursuant to Section 15074.1 in order to clarify nesting bird survey methodology.

FCS
An ADEC Innovation

San Pablo Dam Road Storm Drain and Pavement Repair Project

Initial Study/Mitigated Negative Declaration

Contra Costa County, California

PREPARED FOR:

Contra Costa County
Department of Conservation and Development
30 Muir Road
Martinez, CA 94553
925.655.2700

Contact: Syd Sotoodeh, Senior Planner

PREPARED BY:

FirstCarbon Solutions
2999 Oak Road, Suite 250
Walnut Creek, CA 94597
925.357.2562

Contact: Mary Bean, Project Director
Prathna Maharaj, AICP, Project Manager

~~December 2, 2025~~ January 2026

CEQA ENVIRONMENTAL CHECKLIST FORM

Project Title:	San Pablo Dam Road–Storm Drain and Pavement Repair Project #0672-6U6265 CP# 23-19
Lead Agency Contact:	Syd Sotoodeh, Senior Planner Contra Costa County Department of Conservation and Development 30 Muir Road, Martinez, CA 94553 (925) 655-2877, syd.sotoodeh@dcd.cccounty.us
Contact Person and Phone Number:	Shravan Sundaram, Environmental Analyst II, Contra Costa County Public Works Department, Environmental Services Division (925) 812-7702, Shravan.Sundaram@pw.cccounty.us
Project Location:	On San Pablo Dam Road approximately 1.2 miles east of Wildcat Canyon Road and approximately one mile northwest of Orinda in unincorporated Contra Costa County (Figure 1, Figure 2). Assessor's Parcel Number: 267-040-002
Project Sponsor's Name and Address:	Contra Costa County Public Works Department 255 Glacier Drive, Martinez, CA 94553
General Plan Designation:	Resource Conservation (RC) Contra Costa County 2045 General Plan
Zoning:	Exclusive Agricultural District (A-80)

Description of Project:

The San Pablo Dam Road Storm Drain and Pavement Repair Project (proposed project) would rehabilitate the existing dual corrugated metal pipe storm drain culverts that were damaged in early 2023, resulting in gradual roadway settlement above the culvert system. The proposed project also includes installing a third culvert south of the existing culverts to restore hydraulic capacity beneath San Pablo Dam Road in Contra Costa County (County) (Figure 1, Figure 2). The proposed project would receive funding through the Federal Highway Administration (FHWA) Emergency Relief funds, which are anticipated to be managed through California Department of Transportation (Caltrans) Local Assistance.

Completing repairs to the original dual pipes and constructing the third pipe would require removing and replacing the current inlet and outlet headwalls to implement two trenchless culvert replacement methods of construction (Figure 3). The project site is located on relatively steep terrain consisting of an approximate 45-foot elevation gain from Old San Pablo Dam Road from the east to San Pablo Dam Road to the west. The existing culvert system conveys stormwater flows from both Baden Creek and Spring Creek. Runoff from these creeks converges along the west side of San Pablo Dam Road, where it is currently collected and directed into dual 72-inch pipes. The system conveys flows approximately 205 feet through the roadway embankment before discharging at the outlet on the east side of San Pablo Dam Road. From the outlet, flows enter a concrete flume that directs water into an existing 36-inch culvert system located between San Pablo Dam Road and Old San Pablo Dam Road. This system

conveys flows beneath Old San Pablo Dam Road, where they are discharged beyond the proposed project footprint and continue downstream into San Pablo Reservoir, located approximately 0.3 mile east of the project site. The reservoir is managed by the East Bay Municipal Utility District (EBMUD).

Demolition and Construction Activities

Construction of the proposed project is expected to begin in 2026 and last approximately 115 working days between May 2026 and December 2026. Standard construction equipment would be used, including but not limited to: excavators, graders, scrapers, loaders, sweepers/scrubbers, plate compactors, vibratory compactors, rollers, backhoes, cranes, drill rigs, casing oscillator, concrete pump trucks, generators, water trucks, storage/sedimentation tanks, and pavers. Portable construction trailers (portable office structure) would also be placed on-site. Dewatering equipment would be used, including but not limited to: coffer dams, pumps, and bypass lines. Construction activities would be generally limited to the hours between 7:00 a.m. and 6:00 p.m. Night work would be anticipated to ensure completion of proposed project construction prior to the rainy season.

Staging and Access: Staging areas have been proposed and evaluated for environmental resources. Staging would take place at the culvert's inlet and outlet. Access to the culvert inlet is available from the west side of San Pablo Dam Road via an existing fire trail route. Access to the culvert outlet is available through Old San Pablo Dam Road. Additional staging areas would be available along Old San Pablo Dam Road and the boat ramp located 0.3 mile north of the outlet. San Pablo Dam Road would remain open for traffic throughout the development of the proposed project. Standard traffic control measures would be employed during construction activities and emergency vehicles are anticipated to have access at all times. Temporary construction easements from EBMUD would be required for access to the storm drain system, proposed staging areas, and for other construction access.

Site Preparation: The proposed project would include the clearing, or removal, of vegetation within the project site, including trees. Tree removal would be limited to what is necessary to construct the proposed project. Approximately 27 trees including coast live oak (*Quercus agrifolia*), California bay (*Umbellularia californica*), California buckeye (*Aesculus californica*), pacific madrone (*Arbutus menziesii*), bigleaf maple (*Acer macrophyllum*), and arroyo willow (*Salix lasiolepis*) would be removed around the inlet to create space necessary for pipe ramming, and at the outlet where the concrete flume would be reconstructed. Additional vegetation within the work area would be cleared and grubbed as needed. Grubbing would include the removal of roots, stumps, and other underground material left behind after clearing. A cattle fence would be installed along the fire trail to allow grazing to continue while keeping cattle away from the project site.

Demolition: Construction would first require demolition of the existing inlet and outlet headwalls. The existing inlet headwall size is approximately 40 feet by 10 feet and the existing outlet is approximately 30 feet by 10 feet. Demolition of the existing roadway would occur to depth needed for stabilization of the roadway prior to restoration of the roadway.

Installation and repair of culvert system: The two existing 72-inch corrugated metal pipes would be replaced through pipe ramming with 66-inch steel casing pipes through the existing alignment. A pneumonic hammer would deliver percussive blows to the rear of the steel pipe, driving it forward. The steel pipe would be equipped with a cone-shaped head to help navigate angular deflections, reduce friction, and expand the deformed corrugated metal pipe into a more circular cross-section

through outward diametral pressure. To maintain consistent alignment, the cone-shaped head would also be pulled with a pulley system from the downstream end. The proposed project would include ramming approximately 410 linear feet in total (205 feet in each direction). The steel casings, fabricated in 20-foot sections, are expected to be installed at a rate of one section per day. After the installation of one section, another would be positioned and welded to the preceding casing. This process would continue until the full length is completed. Since the existing dual 72-inch system would be reduced to a dual 66-inch system, an additional 48-inch culvert would be installed by jack and bore on the south side to compensate for the reduced hydraulic capacity.

The third culvert would be constructed using the jack and bore method where a boring machine would jack (push) a 48-inch casing pipe into the ground in segments while simultaneously removing soil using a rotating auger within the casing.

Grouting: The County previously performed geotechnical borings around the existing culverts, which revealed compromised soils surrounding the culvert system. Contact grouting would be required around the exterior of the pipes to ensure that the newly installed pipes are properly supported and embedded in competent material. This grouting would be performed from within the installed pipes, using port holes specifically manufactured for the proposed project, through which the Contractor would pump the grout material. Additional vertical compaction injection grouting from the roadway would be required to stabilize compromised soils between the culvert and roadway surface.

Concrete Work (Headwall, Flume, Abandonment of 36-inch Overflow Corrugated Metal Pipe): The existing inlet and outlet headwalls would be removed to install the three culverts. Once the three pipes are placed, the proposed headwalls would be constructed around them. Additionally, the existing concrete flume would be reconstructed due to structural damage caused by tree root intrusion. The proposed flume would be designed to direct the flow of the three culverts into the existing inlet, which conveys the flow through Old San Pablo Dam Road. Lastly, the existing 36-inch corrugated metal pipe overflow pipe would be abandoned and capped in place with concrete slurry to prevent future use or void formation.

Roadway Rehabilitation: Approximately 10,000 square feet of roadway would be excavated and replaced with a new aggregate base and hot mix asphalt. The reconstruction effort would rehabilitate the roadway section and fill any underlying dips or voids contributing to the settlement.

Site Cleanup and Restoration: All disturbed areas would be stabilized following construction and restored to pre-project conditions through replanting of native trees and hydroseeding with a native seed mix.

Surrounding Land Uses and Setting:

The 0.76-acre project site consists of one Assessor's Parcel Number (APN) 267-040-002 and is located within the *Briones Valley, California* United States Geologic Survey (USGS) 7.5-minute Topographic Quadrangle Map, Township 1 North, Range 3 West, Section 30 (Latitude 37.908789° and Longitude -122.231350°).

Contra Costa County 2045 General Plan and Zoning Designations

The Contra Costa County 2045 General Plan (2045 General Plan) delineates the entirety of the project site having a land use designation of Resource Conservation (RC). The purpose of the RC land use

designation is to preserve ecologically significant and environmentally sensitive areas that allow land uses intended for resource management, and low-intensity agriculture and recreation with associated low-density structures while prohibiting land uses that increase density, including urban development and the establishment of subdivisions.

The project site is zoned as Exclusive Agricultural District (A-80). The A-80 zoning district permits all types of agriculture including general farming, horticulture, floriculture, livestock production, and forestry uses with associated structures intended for the storing of agricultural products and equipment, along with a detached dwelling where structures are only permitted on lots greater than 80 acres in size.

Environmental Setting

The project site is located on a segment of San Pablo Dam Road, which is a two-lane arterial roadway that provides connection from State Route (SR) 24 in Orinda, California in the south to El Sobrante, California and Interstate 80 (I-80) to the northwest. The project site is located on relatively steep terrain approximately 390 feet above mean sea level (AMSL), where San Pablo Dam Road runs over an intermittent drainage that is fed by two ephemeral tributaries (Baden Creek and Spring Creek) carrying stormwater through two existing corrugated metal pipes. Photos of the Biological Study Area (BSA) are included in Appendix B and locations of the photos are shown in Figure 4. Dense vegetation surrounds the project site, consisting of coast live oak, arroyo willow, and California bay woodland with an understory of native and non-native shrubs and herbaceous species (Figure 5). Non-native and ruderal vegetation are situated mostly within disturbed areas along the roadsides.

Stormwater from the intermittent drainage discharges into the San Pablo Reservoir located approximately 0.3 mile east of the project site. The San Pablo Reservoir currently holds approximately 19,810 acre-feet of water and its primary inflow is San Pablo Creek. San Pablo Reservoir is managed by EBMUD.

The project site is within EBMUD-managed lands that include recreational uses such as picnicking, hiking, fishing, boating, kayaking, along with watershed, water quality, and wildlife management. Specifically, the project site is surrounded by the San Pablo Reservoir boat launch and Inspiration Trail to the north, Old San Pablo Trail and the San Pablo Reservoir to the east, open space to the south, and Wildcat Canyon Road to the West. Overhead power lines are located directly west of the project site, and a fire trail is situated to the northwest. (Figure 2).

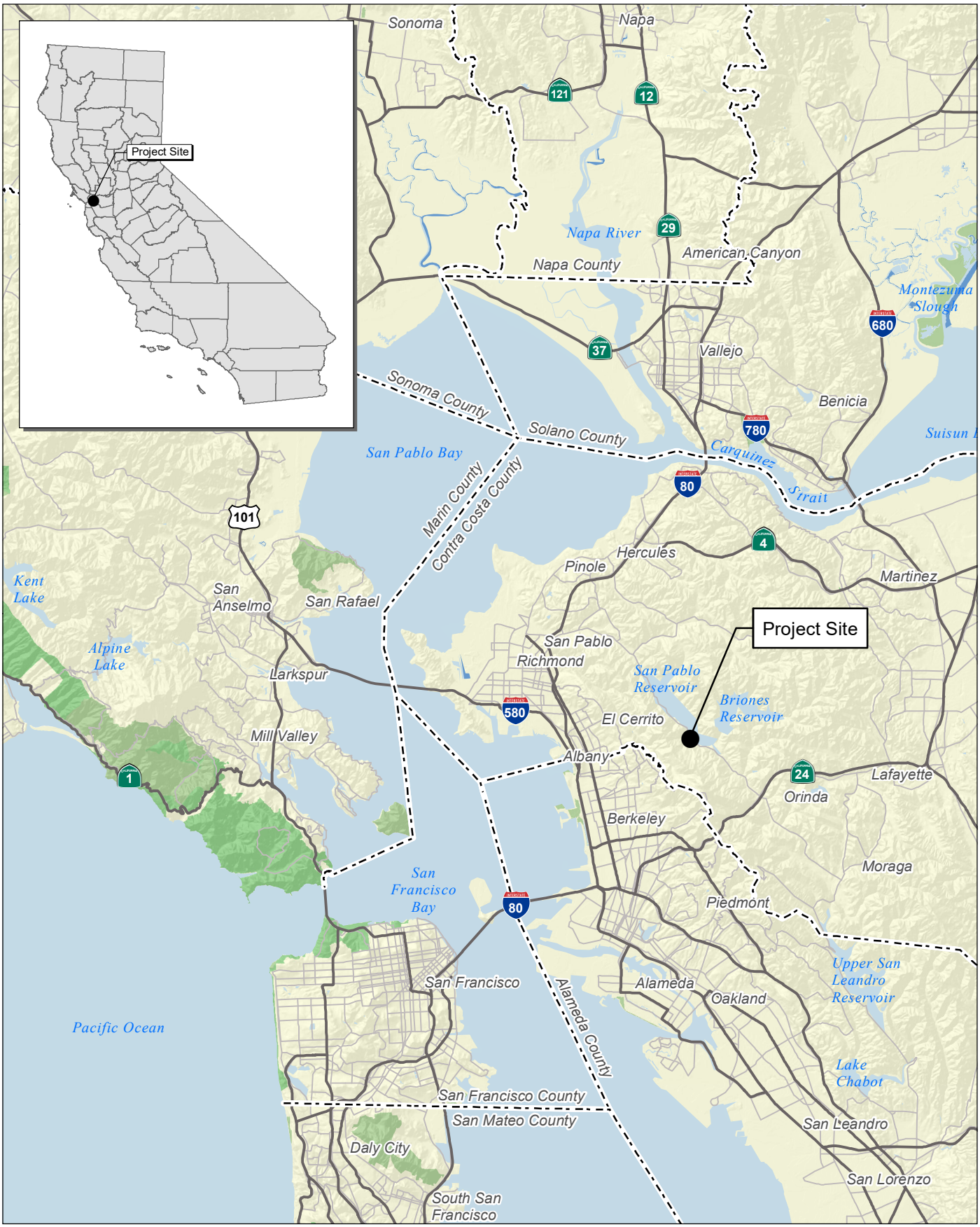
Other public agencies whose approval may be required (e.g., permits, financing, approval, or participation agreement). Please be advised that this may not be an exhaustive list and that approval may be required from other public agencies not listed here:

Agency	Approval
Contra Costa County Department of Conservation and Development	California Environmental Quality Act Compliance
California Department of Fish and Wildlife	Section 1602 Lake and Streambed Alteration Agreement
California Department of Transportation	National Environmental Policy Act Compliance
East Bay Municipal Utility District	Right-of-Way Agreement
San Francisco Regional Water Quality Control Board	Porter Cologne General Waste Discharge Notice of Applicability or Section 401 Certification
United States Army Corps of Engineers	Section 404 Permit

Additional permissions and real estate transactions may be necessary for the proposed project to be implemented.

Have California Native American Tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code Section 21080.3.1? If so, has consultation begun?

To initiate consultation, the County conducted outreach on June 5, 2025, to the Wilton Rancheria and the Confederated Villages of Lisjan Nation (CVLN) who have previously requested to be notified for projects within Contra Costa County. The Wilton Rancheria has not responded to consultation, while the CVLN requested consultation. The County consulted with the CVLN on methods for resource investigation, identification and avoidance, mitigation, and monitoring measures. Measures were agreed upon and consultation concluded on August 20, 2025. Therefore, consultation with Native American Tribes has occurred in relation to this project. As a courtesy, the County will provide a copy of this environmental document for the Tribe's comments.

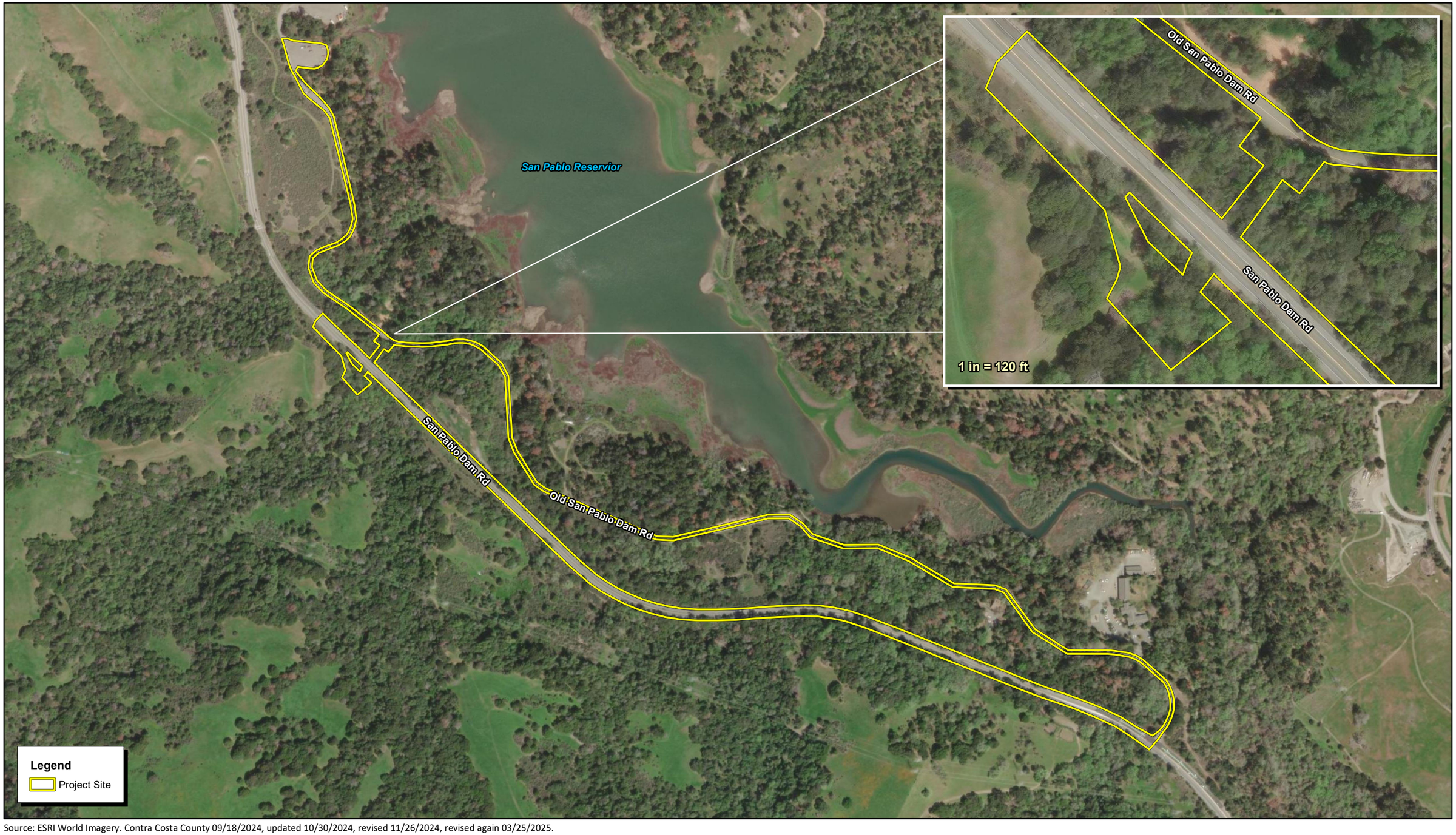


Source: Census 2000 Data, The California Spatial Information Library (CaSIL).

FIRSTCARBON SOLUTIONS™

5 2.5 0 5 Miles

Figure 1
Regional Location Map

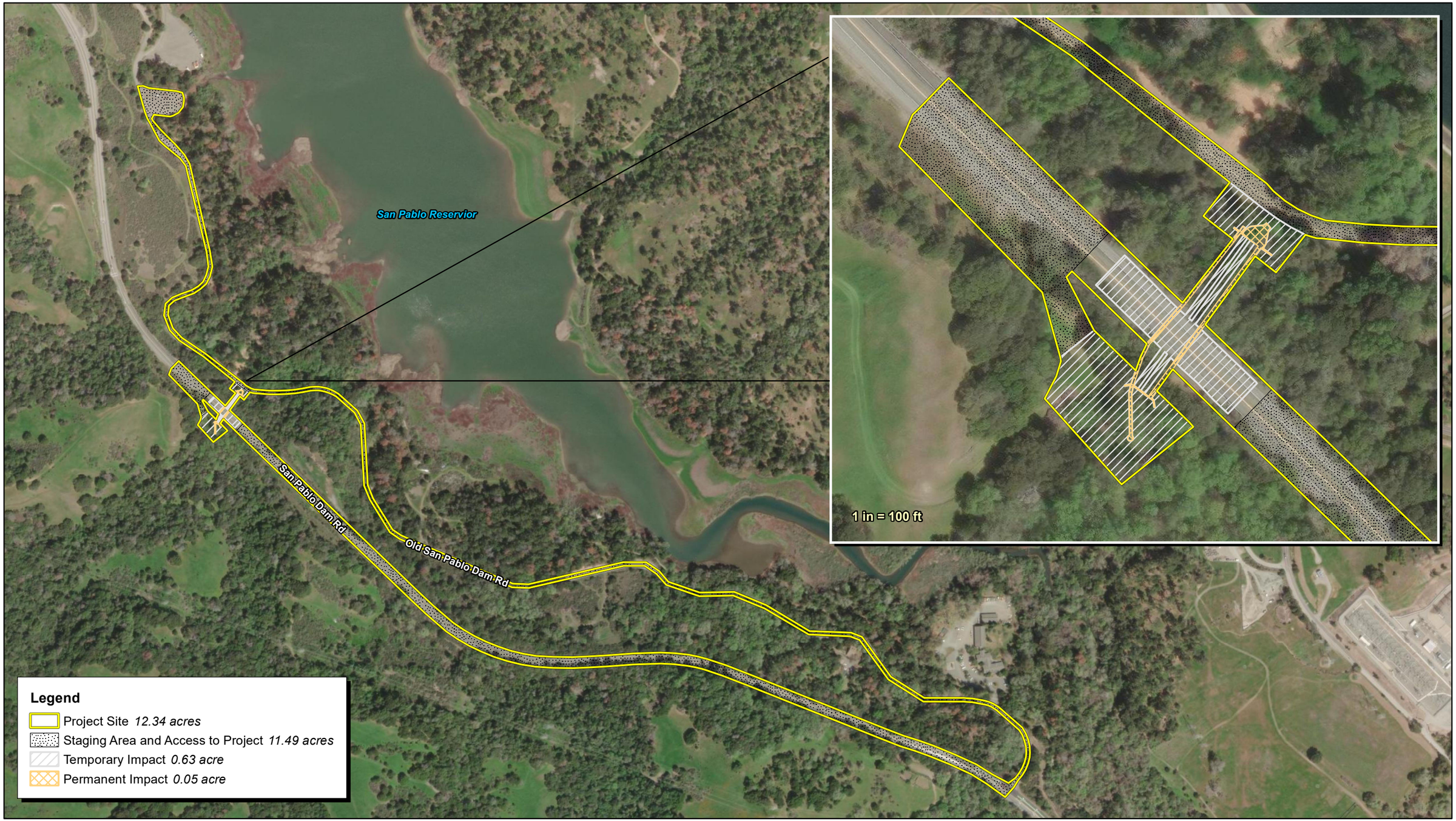


Source: ESRI World Imagery. Contra Costa County 09/18/2024, updated 10/30/2024, revised 11/26/2024, revised again 03/25/2025.

FIRSTCARBON SOLUTIONS™

500 250 0 500 Feet

Figure 2
Local Vicinity Map

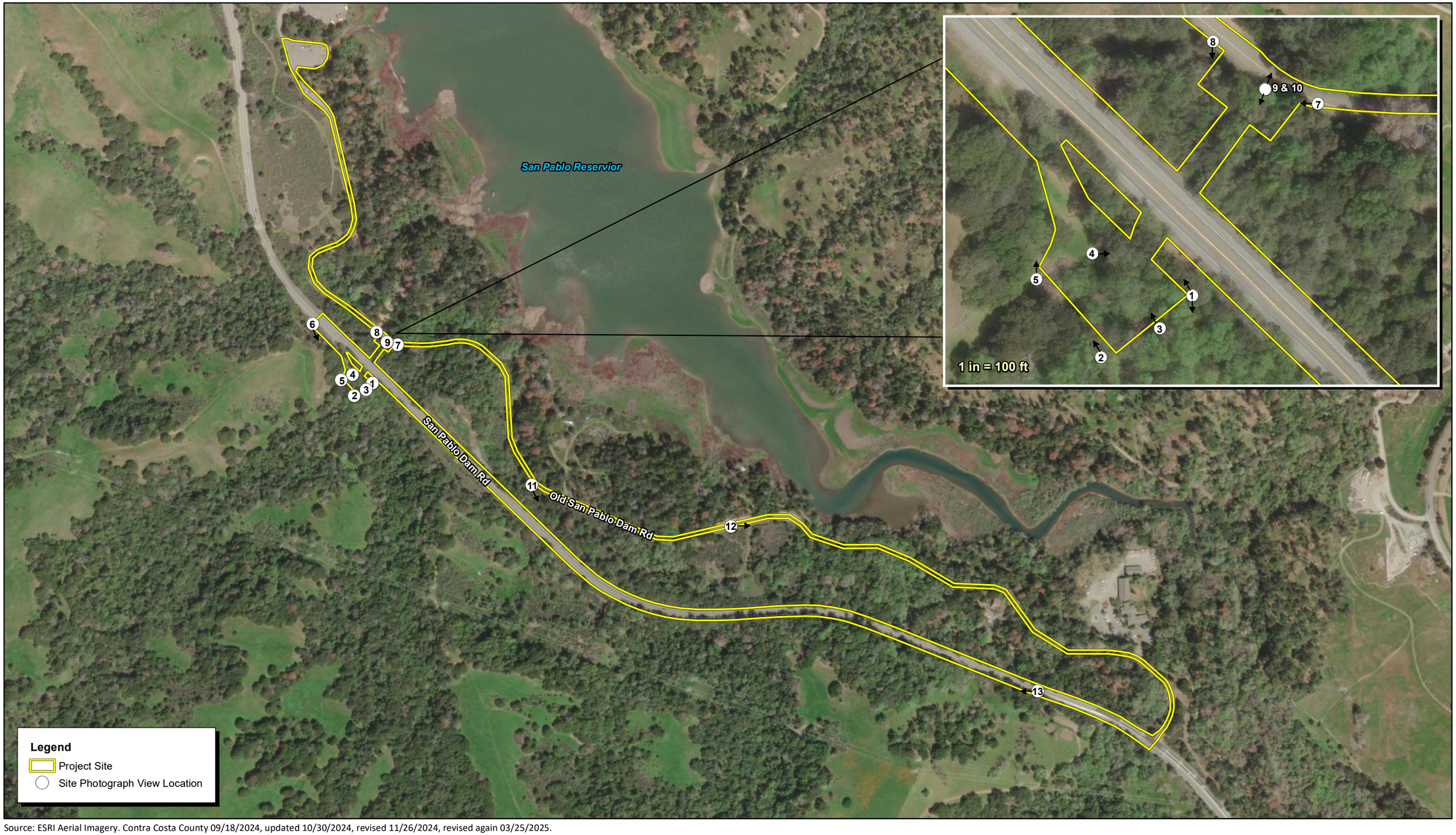


Source: ESRI Aerial Imagery. Contra Costa County 09/18/2024, updated 10/30/2024, revised 11/26/2024, revised again 03/25/2025.

FIRSTCARBON SOLUTIONS™

500 250 0 500 Feet

Figure 3
Impact Area

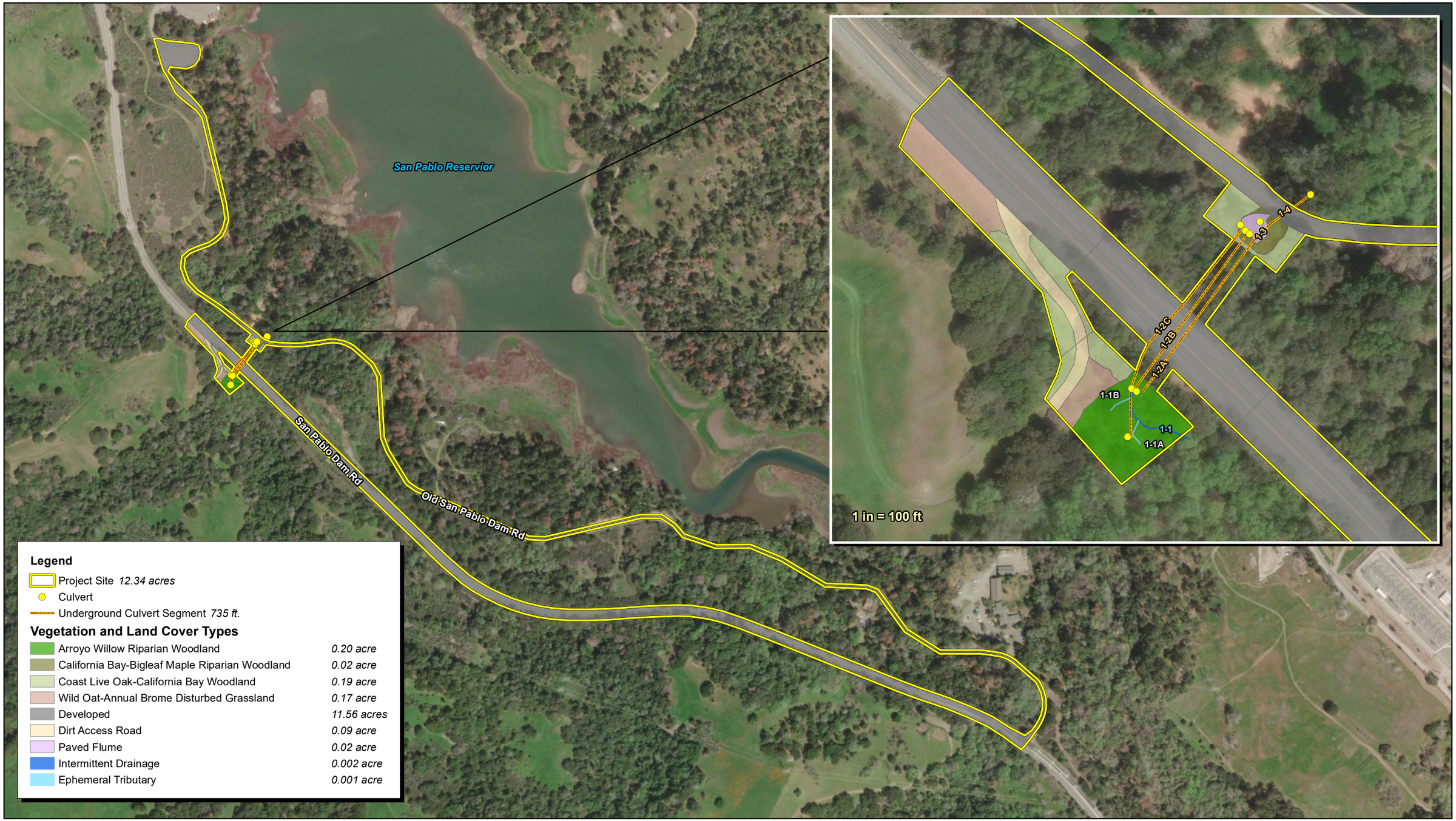


Source: ESRI Aerial Imagery. Contra Costa County 09/18/2024, updated 10/30/2024, revised 11/26/2024, revised again 03/25/2025.

FIRSTCARBON SOLUTIONS™

500 250 0 500 Feet

Figure 4
Site Photograph Location Map



Source: ESRI Aerial Imagery. Contra Costa County 09/18/2024, updated 10/30/2024, revised 11/26/2024, revised again 03/25/2025.

FIRSTCARBON SOLUTIONS™

500 250 0 500 Feet

26480010 • 09/2025 | 5_veg_land_cover.mxd

Figure 5
Vegetation and Land Cover Types

Environmental Factors Potentially Affected					
The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.					
☐	Aesthetics	☐	Agriculture and Forestry Resources	☒	Air Quality
☒	Biological Resources	☒	Cultural Resources	☐	Energy
☒	Geology/Soils	☐	Greenhouse Gas Emissions	☒	Hazards & Hazardous Materials
☐	Hydrology/Water Quality	☐	Land Use/Planning	☐	Mineral Resources
☐	Noise	☐	Population/Housing	☐	Public Services
☐	Recreation	☐	Transportation	☒	Tribal Cultural Resources
☐	Utilities/Services Systems	☒	Wildfire	☐	Mandatory Findings of Significance

Environmental Determination

On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that, although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Syd Sotoodeh — December 2, 2025

Syd Sotoodeh
Senior Planner
Contra Costa County
Department of Conservation & Development

Date

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
1. *AESTHETICS–* *Except as provided in Public Resources Code Section 21099,* **would the project:**				
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic building within a State Scenic Highway?	☐	☐	☒	☐
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☒	☐
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

SUMMARY:

a) Would the project have a substantial adverse effect on a scenic vista?

Less Than Significant Impact: The General Plan Conservation, Open Space, and Working Lands Element defines scenic vistas as scenic ridges. Scenic ridgeways are identified in the 2045 General Plan for preservation purposes, with the Wildcat Canyon Road scenic ridgeline approximately 0.7 mile west of the project site. As determined by General Plan Policy COS-P12.3, development within 100 vertical feet of the top of designated scenic ridges and within 50 vertical feet of other visually prominent ridgelines is prohibited. The project site is not located on the Wildcat Canyon Road ridgeline and views of the ridgeline are not present from the project site. Further, the 0.7 mile distance from the proposed project site to Wildcat Canyon Road meets requirements under Policy COS-P12.3. The ridgeline is located southwest of the project site, and the project site may be visible from sporadic points along the ridgeline from the west, as well as other scenic vantage points to the east, including hiking trails managed by EBMUD and the San Pablo Reservoir.

While the proposed project would not construct any new structures, it would remove approximately 27 existing trees on the project site, which could diminish existing tree cover of San Pablo Dam Road and adjacent power lines from the east and could degrade the scenic quality of the ridgeline. However, the proposed project would not remove all trees within the project area and, as such, there would still be remaining trees to provide coverage of existing infrastructure. In compliance with 2045 General Plan Policy COS-P12.4, there would be no unnecessary vegetation removal in relation to the proposed project. Thus, views of the project site from the west are not anticipated to be substantially altered, as trees would remain. Further, the project site would be restored through hydroseeding of all disturbed areas and replacement planting of native trees after repair and installation of the culvert system is completed. With the revegetation of native species, including trees, the proposed project would not have a substantial adverse effect on a scenic vista, and impacts would be less than significant.

b) *Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic building within a State Scenic Highway?*

Less Than Significant Impact: The project site is not located in proximity to any Officially Designated or Eligible State Scenic Highways. The closest eligible State Scenic Highway is SR-24 in Orinda, California, approximately 3.4 miles south of the project site. The proposed project is not visible from SR-24 due to its distance and intervening development.

Although the proposed project would not damage scenic resources within a State Scenic Highway, the General Plan Conservation, Open Space, and Working Lands Element identifies locally significant scenic routes as public roadways that pass through picturesque natural landscapes, typically offering sweeping views of valleys or mountain ranges. 2045 General Plan Figure COS-12, Scenic Resources, identifies San Pablo Dam Road as a County-designated scenic route. The General Plan requires projects with the potential to significantly impact public views along a scenic route designated by the County to undergo a visual impact analysis (Policy COS-P12.8). The proposed project would restore views along the public right-of-way within San Pablo Dam Road through replanting of native vegetation, including trees, following construction.

Since the proposed project is not located on or adjacent to a State Scenic Highway and would restore the San Pablo Dam Road segment with new infrastructure and vegetation, the proposed project would not substantially damage scenic resources within a State Scenic Highway or a County-designated scenic route. Therefore, the proposed project would have a less than significant impact on State Scenic Highways or any locally designated scenic routes.

c) *In non-urbanized areas, would the project substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?*

Less Than Significant Impact: The proposed project is located in unincorporated Contra Costa County and surrounded by undeveloped land intended for agricultural uses, recreational uses, and watershed management by EBMUD. As such, the proposed project is not located in an urbanized area and impacts pertaining to the visual character or quality of public views are assessed.

The proposed project is visible from public hiking trails managed by EBMUD that provide public views of the San Pablo Reservoir and hillsides to the east. Construction activities and tree removal could degrade the existing visual character and quality of public views by exposing San Pablo Dam Road and other utilities on the eastern side of the project site. However, the proposed project would not remove all trees within the project area. Because of the location of proposed tree removals and the relatively small project area, views of the project site from the west are not anticipated to be substantially altered as trees would remain. Thus, there would still be remaining trees to provide coverage of existing infrastructure. Additionally, the proposed project would be consistent with existing uses on the project site and would not introduce any new structures. Following completion of construction activities, the project site would be revegetated, including the replanting of trees, and returned to existing conditions. Therefore, the proposed project would not degrade the existing visual character or quality of public views and impacts would be less than significant.

d) *Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?*

Less Than Significant Impact: The project site is in an undeveloped area with minimal sources of light and glare. Existing sources of light and glare in the vicinity of the project site include vehicular traffic along San Pablo Dam Road. Although the proposed project would not install any stationary sources of light, construction activities could implement temporary construction lighting. In addition, construction of the proposed project would introduce temporary sources of light and glare from construction equipment, parked vehicles from construction workers, and encroachments onto San Pablo Dam Road. However, construction of the proposed project would be required to abide by California Code of Regulations Title 8, Section 1523 which contains nighttime highway construction lighting requirements, such as limiting lighting to an intensity intended to only cover the work zone while minimizing glare, such as installing temporary screens with mounted lamps below the top of the screen.

Operation of the proposed project would not result in new sources of light or glare, as the proposed project would not introduce any new structures, streetlights, or alter existing traffic conditions in a manner that could generate new or exacerbate sources of light and glare. Therefore, the proposed project would have a less than significant impact on light and glare.

Sources of Information

California Department of Transportation (Caltrans). Scenic Highways: California State Scenic Highways. Website: https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways. Accessed August 13, 2025.

Contra Costa County. 2045 General Plan. Chapter 4: Land Use Element. Website: https://www.contracosta.ca.gov/DocumentCenter/View/84934/Chapter-4---Land-Use-Element-PDF. Accessed August 13, 2025.

Contra Costa County. 2045 General Plan. Chapter 2: Planning Context. Website: https://www.contracosta.ca.gov/DocumentCenter/View/84932/Chapter-2---Planning-Context-PDF. Accessed August 13, 2025.

Contra Costa County. 2045 General Plan. Chapter7: Conservation, Open Space, and Working Lands Element. Website: https://www.contracosta.ca.gov/DocumentCenter/View/84948/Chapter-7--Conservation-Open-Space-and-Working-Lands-Element-PDF. Accessed August 13, 2025.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
2. *AGRICULTURAL AND FOREST RESOURCES–Would the project:*				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act Contract?	☐	☐	☐	☒
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g)?	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e) Involve other changes in the existing environment, which due to their location or nature, could result in conversion of farmland, to nonagricultural use?	☐	☐	☐	☒

SUMMARY:

a) *Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use?*

No Impact: The project site is located in an undeveloped area. The project is designated as Grazing Land on the California Important Farmland Map and is not considered Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. For this reason, the proposed project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to nonagricultural use. No impact would occur.

b) Would the project conflict with existing zoning for agricultural use, or a Williamson Act Contract?

No Impact: The project site is zoned as Exclusive Agricultural District (A-80) and is not under a Williamson Act Contract, as indicated by the State of California GIS Property Assessment interactive mapping tool. The proposed project is limited to repair and improvement of existing storm drainage infrastructure and would not introduce land uses that would conflict with the existing zoning. As such, the proposed project would not conflict with agricultural zoning or with a Williamson Act Contract. No impact would occur.

c) Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g) or conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g), timberland (as defined by Public Resources Code

Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g)?

No Impact: The project site is zoned as A-80, and is not zoned as forest land, timberland, or timberland zoned Timberland production. Therefore, the proposed project would not conflict with existing zoning or cause rezoning of forest land, timberland, or timberland zoned Timberland Production. No impact would occur.

d) *Would the project involve or result in the loss of forest land or conversion of forest land to non-forest use?*

No Impact: As described above in Impact 2(c), the project site is not zoned as forest land. The project site does not contain, nor is it adjacent to forest land. Therefore, the proposed project would not result in a loss of forest land or a conversion of forest land to non-forest uses. As such, no impact would occur.

e) *Would the project involve other changes in the existing environment, which due to their location or nature, could result in conversion of farmland, to nonagricultural use?*

No Impact: Although the project site is located within an area zoned for agriculture, the primary uses in the surrounding area are grazing or recreation. There is no Prime Farmland, Unique Farmland, or Farmland of Statewide Importance in the vicinity. The project site is not zoned for forestry-related uses, nor is the project site forested. The proposed project would not result in the conversion of farmland to nonagricultural use or conversion of forest land to non-forest use. No impact would occur.

Sources of Information

Contra Costa County Code. Title 8 – Zoning. Website: https://library.municode.com/ca/contra_costa_county/codes/ordinance_code?nodeId=TIT8ZO. Accessed August 12, 2025.

California Department of Conservation. California Important Farmland Finder. Website: https://maps.conservation.ca.gov/DLRP/CIFF/. Accessed August 12, 2025.

State of California. 2024. Williamson Act Enrollment Finder. Website: https://maps.conservation.ca.gov/dlrp/WilliamsonAct/App/. Accessed July 9, 2025.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
3. *AIR QUALITY–Would the project:*				
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or State ambient air quality standard?	☐	☒	☐	☐
c) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☒	☐

SUMMARY:

a) *Would the project conflict with or obstruct implementation of the applicable air quality plan?*

Less Than Significant Impact: Contra Costa County is within the San Francisco Bay Air Basin (SFBAAB), which is regulated by the Bay Area Air Quality Management District (Bay Area Air District). The most currently adopted Air Quality Plan (AQP) is the *Spare the Air, Cool the Climate Final 2017 Clean Air Plan* (2017 Clean Air Plan). The purpose of the 2017 Clean Air Plan is to bring the SFBAAB into compliance with the requirements of federal and State air quality standards and to protect the climate through the reduction of criteria pollutants and greenhouse gas (GHG) emissions.

Air quality is also regulated by the County through its 2045 General Plan. The following policies related to air quality are contained within the 2045 General Plan, Health and Safety Element, and are relevant and applicable to the proposed project and will be required to be implemented. Implementation of these policies would help to reduce air pollutant emissions associated with the proposed project:

HS-P1.2 Prioritize participation in emission and exposure reduction, public education, engagement, outreach, and other programs that promote improved air quality, focusing on Impacted Communities.

HS-P1.9 Require construction activities that involve large grading operations to implement additional construction measures identified in Bay Area Air District CEQA Guidelines to reduce air pollutant emissions.

PS-P1.10 Prohibit nonessential diesel engine idling countywide and nonessential idling of all vehicles within 100 feet of sensitive receptors.

A project would be determined to conflict with or obstruct the 2017 Clean Air Plan implementation if it would result in substantial new regional emissions not foreseen in the air quality planning process. The Bay Area Air District's 2022 CEQA Guidelines outline the following criteria that should be used for determining a project's consistency with the AQP.

- Does the project support the primary goals of the AQP?
- Does the project include applicable control measures from the AQP?
- Does the project disrupt or hinder implementation of any AQP control measures?

Primary Goals of the AQP

The primary goals of the 2017 Clean Air Plan are to attain air quality standards, reduce population exposure to unhealthy air and protect the public health in the Bay Area, and reduce GHG emissions and protect the climate.

The proposed project would not introduce ongoing sources of operational-related air pollutant emissions. Project compliance with CEQA pollutant emission thresholds is a test of consistency with 2017 Clean Air Plan air quality control strategies and noninterference with the attainment of 2017 Clean Air Plan goals. As discussed under Impact 3(b), the proposed project's construction-related emissions would not exceed Bay Area Air District CEQA significance thresholds for the Bay Area's nonattainment pollutants. Therefore, the proposed project would not impede the region's ability to attain air quality standards.

The proposed project would not introduce ongoing sources of operation-related toxic air contaminant (TACs) or diesel particulate matter (DPM) emissions. Furthermore, as discussed in Impact 3(c), the proposed project would not expose nearby sensitive populations to TACs or DPM emissions during construction because there are no sensitive receptors within close proximity to the proposed project.

Finally, the Contra Costa County Climate Action and Adaptation Plan (CAAP) establishes a framework to reduce GHG emissions 40 percent below 1990 levels by 2030 and prepare for climate-related hazards. The proposed project aligns with several CAAP goals and policies, particularly those focused on infrastructure resilience, low-emission construction practices, and environmental stewardship. The CAAP includes incentives for construction equipment upgrades and other strategies to reduce emissions of construction vehicles on a plan level; while not directly applicable to the proposed project, overall, the CAAP encourages the use of low-emission construction equipment (Policy TR-2). In addition, the CAAP seeks to protect and restore natural stormwater systems (Policy IS-2) and minimize vegetation loss and require revegetation with native species (Policy OS-1). The CAAP also incorporates erosion and runoff control measures (Policy IS-4). Overall, the proposed project's trenchless methods, revegetation plan, and storm-resilient culvert design support the County's climate adaptation priorities while also complying with broader GHG reduction strategies. The CAAP focuses on reducing long-term operational emissions from land use, energy, and transportation. After its construction is complete, the proposed project will not include any new pollutant emission sources, nor require energy from external sources or transportation resources for its operation. Thus, it would have no effect on land use, energy, transportation or other assumptions that underlie the CAAP. Accordingly, the proposed project is consistent with the County's CAAP.

Therefore, the proposed project is consistent with the first criterion in demonstrating consistency with the 2017 Clean Air Plan.

Applicable Control Measures

The 2017 Clean Air Plan contains 85 control measures that describe specific actions to reduce air pollutants and GHGs at the local, regional, and global levels. Stationary source control measures are implemented via Bay Area Air District's permitting program and enforcement of the Bay Area Air District Rules and Regulations. Along with the traditional stationary, area, mobile source, and transportation control measures, the 2017 Clean Air Plan contains several control measures designed to protect the climate.

To establish compliance with the Clean Air Plan, the proposed project would be required to comply with applicable Clean Air Plan control measures. The only measures relevant and applicable to the proposed project are SS36: Particulate Matter from Trackout and SS38: Fugitive Dust.

The proposed project would comply with the above control measures as specified below:

For consistency with Clean Air Plan Measure SS36 and SS38 and to ensure the implementation of policies within the County General Plan, the proposed project would implement Mitigation Measure (MM) AQ-1 which would require the implementation of Bay Area Air District's Best Management Practices (BMPs) to reduce fugitive dust and air pollutant emissions during construction.

Accordingly, the proposed project would comply with all applicable measures under the 2017 Clean Air Plan with implementation of mitigation and is therefore consistent with criteria two as set forth by Bay Area Air District.

Hindrance of Implementation of AQP Control Measures

The proposed project involves the repair of the existing dual 72-inch corrugated metal pipe as a result of 2023 winter storms. It would not preclude extension of a transit line or bike path, propose excessive parking beyond parking requirements, or otherwise create an impediment or disruption to implementing any AQP control measures. The proposed project is construction-only and would not result in parking or parking requirements or ongoing sources of air pollutant emissions. Therefore, the proposed project would not disrupt or hinder the implementation of any AQP control measures.

The proposed project would comply with all applicable measures under the 2017 Clean Air Plan and is therefore consistent with the third criterion as set forth by Bay Area Air District.

As addressed above, the proposed project would not conflict with or obstruct implementation of the 2017 Clean Air Plan and meets all three criterion set out by Bay Area Air District for demonstrating consistency, and impacts would be less than significant.

b) *Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or State ambient air quality standard?*

Less Than Significant Impact With Mitigation Incorporated: A potential impact would occur if the proposed project results in exceedances of State or federal standards for ozone precursors reactive organic gases (ROG), nitrogen oxide (NO_X), particulate matter less than 10 microns in diameter (PM_{10}) and particulate matter less than 2.5 microns in diameter ($PM_{2.5}$), of which the

SFBAAB is in nonattainment. NO_X and ROG emissions are of concern during construction because of their participation in the formation of ground level ozone—for which the SFBAAB is also in nonattainment. PM_{10} and $PM_{2.5}$ are of concern during construction because of potential exhaust emissions from the operation of off-road construction equipment and fugitive dust during demolition and earth-disturbing activities (construction fugitive dust).

The significance criteria recommended by the Bay Area Air District were used to make the following CEQA significance determinations. The Bay Area Air District has adopted standards of significance for criteria pollutants that could occur during construction and operation. The thresholds of significance are shown in Table 1. Therefore, a project that would not exceed the Bay Area Air District thresholds of significance on an individual project level also would not be considered to result in a cumulatively considerable contribution to these regional air quality impacts. The proposed project's construction and operational emissions are discussed separately below.

Construction Fugitive Dust Emissions

Construction emissions from the proposed project would be "short-term" or temporary in nature and duration. Construction of the proposed project would result in the temporary generation of ROG, NO_X, PM_{10}, and $PM_{2.5}$ emissions from construction activities including site preparation, demolition, grading, trenchless culvert installation, grouting, concrete work, and roadway rehabilitation.

Fugitive dust emissions are primarily associated with demolition, earth disturbance and grading activities and vary as a function of soil silt content, soil moisture, wind speed, acreage of disturbance area, and miles traveled by construction vehicles on-site and off-site. Construction-related activities, such as soil disturbance, grading, demolition, and material delivery and hauling resulting in fugitive dust emissions such as $PM_{2.5}$ and PM_{10}, are recognized to impact local communities. The Bay Area Air District does not have a numerical threshold of significance for fugitive dust particulate matter emissions. Instead, the Bay Area Air District bases the determination of significance for fugitive dust on whether feasible and effective control measures are implemented.

The Bay Area Air District recommends implementing basic construction measures for all projects regardless of emissions. Therefore, to further reduce emissions, implementation of MM AQ-1, provided below, would include Bay Area Air District-recommended measures for the control of short-term emissions and basic fugitive dust BMPs to assure that ambient particulate standards are not exceeded at local sensitive receptors during project construction. Therefore, the proposed project would have a less than significant impact related to short-term construction fugitive dust emissions with implementation of MM AQ-1.

Construction Exhaust Emissions: ROG, NO_X, PM_{10}, and $PM_{2.5}$

Construction-related NO_X, PM_{10}, and $PM_{2.5}$ emissions are primarily generated by exhaust emissions (running and idling) from off-road heavy-duty construction equipment, on-road material delivery and haul trucks, and construction worker vehicles. ROG emissions are mainly generated by off-gas emissions associated with architectural coatings and asphalt paving.

Construction emissions were quantified and estimated using California Emissions Estimator Model (CalEEMod) Version 2022.1 for a typical construction scenario for a construction project of this size and incorporating appropriate project-specific information. CalEEMod provides a consistent platform for estimating construction and operational emissions from a wide variety of land use projects and is the model recommended by the Bay Area Air District for estimating project emissions. Construction emissions were estimated and compared with the applicable thresholds of significance established by the Bay Area Air District to assess ROG, NO_X, exhaust PM_{10}, and exhaust $PM_{2.5}$ construction emissions to determine significance for this criterion.

The following project characteristics and assumptions were utilized in the CalEEMod analysis:

- Construction activities are anticipated to begin in July 2026 and last approximately 115 days. Because fuels and equipment fleets become cleaner over time, construction-related emissions decrease over time as well. Therefore, if construction begins in later months or years, construction-related emissions would be lower than when modeled to occur in earlier years; thus, the July 2026 assumed start date is considered conservative.

- Approximately 27 trees would be removed (which would be associated with 16 one-way vendor truck trips during the site preparation phase).

- It was estimated that approximately 10,000 cubic yards of concrete would be demolished (which represents a worst-case, conservative scenario).

- CalEEMod default assumptions for equipment were supplemented with equipment to be used as described in the Project Description, including, but not limited to: excavators, graders, scrapers, loaders, sweepers/scrubbers, plate compactors, vibratory compactors, rollers, backhoes, cranes, drill rigs, concrete pump trucks, generators, water trucks, storage/sedimentation tanks, and pavers. Portable construction trailers (portable office structure), pneumonic hammer, and a jack and bore machine would also be placed at each site. Dewatering equipment would be used, including, but not limited to: coffer dams, pumps, and bypass lines. The modeling assumed use of average tier engines in construction equipment which represents a conservative scenario, and emissions would likely be lower than what is shown in Table 1.

The modeling assumed implementation of the Bay Area Air District Basic Construction BMPs for fugitive dust control.

Additional details on the assumptions and inputs are included in the CalEEMod output reports (Appendix A).

Table 1 shows the proposed project's average daily emissions from construction-related exhaust emissions. As indicated in Table 1, construction exhaust emissions from all construction activities would be below the recommended thresholds of significance for emissions of ROG, NO_X, exhaust PM_{10}, and exhaust $PM_{2.5}$; therefore, impacts would be less than significant.

Table 1: Regional Criteria Pollutant Exhaust Emissions–Project Construction

Average Daily	Year	Air Pollutants (lbs/day) ROG	NO_X	PM_{10} (Exhaust)	$PM_{2.5}$ (Exhaust)
Project Construction (Average daily emissions)	2026	1.58	12.71	0.48	0.44
Significance Threshold (lbs/day)		**54**	**54**	**82**	**54**
Exceeds Significance Threshold?		**No**	**No**	**No**	**No**

Notes:
lbs = pounds
NO_X = oxides of nitrogen
PM_{10} = particulate matter less than 10 microns in diameter
$PM_{2.5}$ = particulate matter less than 2.5 microns in diameter
ROG = reactive organic gases
Emissions were calculated by dividing the pounds of emissions by the number of non-overlapping working days of construction (115 workdays).
Assumes implementation of MM AQ-1 for dust control.
Source: California Emissions Estimator Model (CalEEMod) Output (see Appendix A).

Potential Impacts:

The Bay Area Air District recommends implementing basic construction measures for all projects regardless of emissions. Therefore, the proposed project would implement MM AQ-1 for the control of short-term emissions and basic fugitive dust BMPs, to assure that ambient particulate standards are not exceeded at local sensitive receptors during project construction and that impacts would remain less than significant.

MM AQ-1 Implement Bay Area Air District Basic Construction Best Management Practices:

1) All exposed surfaces (e.g., parking areas, staging areas, graded areas, and unpaved access roads) shall be watered two times per day.
2) All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
3) All visible mud or dirt trackout onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
4) All vehicle speeds on unpaved roads shall be limited to 15 mph.
5) All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible.
6) Idling times shall be minimized either by shutting equipment off when not in use.
7) or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
8) All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.

9) Post a publicly visible sign with the telephone number and contact information for the designated on-site construction manager available to receive and respond to dust complaints. This person shall report all complaints to Contra Costa County and take immediate corrective action as soon as practicable but not more than 48 hours after the complaint is received. The Bay Area Air District phone number shall also be visible to ensure compliance with applicable regulations.

c) Would the project expose sensitive receptors to substantial pollutant concentrations?

Less Than Significant Impact. The Bay Area Air District recommends that potential health risks to nearby sensitive receptors from TAC and/or DPM emissions during the proposed project's construction and operation be evaluated. Sensitive receptors may include children, elderly, and those with compromised immune systems. Sensitive receptor locations are places where these individuals commonly gather or reside, including hospitals and healthcare facilities, schools and daycare centers, senior centers and nursing homes, and residential areas. According to the Bay Area Air District, a proposed project should identify and assess potential health risks to sensitive receptors located within 1,000 feet of a proposed project's fence line.

The proposed project is not associated with any ongoing sources of operational-related TAC and/or DPM emissions. There are no sensitive receptors within 1,000 feet of the construction area. In addition, construction-related emissions are inherently short-term and intermittent, typically occurring only during active phases of site preparation, grading, and building. These emissions (primarily from diesel-powered equipment and dust-generating activities) are temporary and diminish significantly once construction is complete. Given the limited duration and the implementation of dust mitigation measures required by Bay Area Air District Basic Construction BMPs such as dust suppression and equipment idling restrictions, the potential for long-term exposure to harmful pollutants is minimal. As a result, construction emissions are not expected to pose a significant health risk to nearby sensitive receptors and impacts would be less than significant.

d) Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Less Than Significant Impact: The ability to detect odors varies considerably among the population and can be subjective. People may have different reactions to the same odor. Quality and intensity are two properties present in any odor. The quality of an odor indicates the nature of the smell experience. Odor intensity depends on the concentration in the air. When an odor sample is progressively diluted, the odor concentration decreases. As this occurs, the odor intensity weakens and eventually becomes so low that detection or recognition of the odor is quite difficult. At some point during dilution, the concentration of the odor reaches a level that is no longer detectable.

According to Bay Area Air District 2022 CEQA Guidelines, odor impacts could occur if the proposed project introduces a new odor source near existing receptors. The presence of an odor impact is dependent on several variables, including the nature of the odor, the frequency of odor generation, the intensity of odor, the distance of the odor source to sensitive receptors, the wind direction and the sensitivity of the receptor.

If the proposed project would be an odor-generating facility, then the Bay Area Air District provides a list of recommended odor screening distances for evaluating potential odor impacts. The Bay Area Air District does not indicate that temporary construction projects are odor-generating facilities.

Potential sources that may emit odors during the proposed project's construction activities include exhaust from diesel construction equipment. There are no sensitive receptors within 1,000 feet of the construction area. In addition, the construction activities would be temporary in nature, intermittent in duration, and highly diffusive. Odors from these sources would be localized and generally confined to the immediate area surrounding the project site. The proposed project would utilize typical construction techniques, and the odors would be typical of most construction sites and temporary in nature. Thus, the proposed project would not result in a new odor source adversely affecting a substantial number of nearby existing receptors. Furthermore, the proposed project is construction-only and would not include any ongoing sources of odors. Impacts would be less than significant.

Sources of Information

CalEEMod Output Report, Appendix A.

Bay Area Air Quality Management District (Bay Area Air District). 2022. California Environmental Quality Act, Air Quality Guidelines. April. Website: https://www.baaqmd.gov/plans-and-climate/california-environmental-quality-act-ceqa/updated-ceqa-guidelines. Accessed August 12, 2025.

Bay Area Air Quality Management District (Bay Area Air District). 2017. Spare the Air, Cool the Climate. Final 2017 Clean Air Plan. April. Website: https://www.baaqmd.gov/~/media/files/planning-and-research/plans/2017-clean-air-plan/attachment-a_-proposed-final-cap-vol-1-pdf.pdf?la=en. Accessed August 12, 2025.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
4. *BIOLOGICAL RESOURCES–Would the project:*				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or United States Fish and Wildlife Service?	☐	☒	☐	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or United States Fish and Wildlife Service?	☐	☒	☐	☐
c) Have a substantial adverse effect on State or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of wildlife nursery sites?	☐	☒	☐	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☒	☐	☐
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State Habitat Conservation Plan?	☐	☐	☐	☒

FCS Biologist(s) evaluated potential Biological Resources for the San Pablo Dam Road Storm Drain Repair Project in September 2024 and April 2025, including a background review and reconnaissance field survey. A draft Natural Environmental Study (Minimal Impacts) (NESMI) was prepared by FCS in July 2025, and an Arborist Report was prepared by FCS in August 2025 (Appendix B). The comprehensive literature review included the evaluation of the California Department of Fish and Wildlife (CDFW), California Natural Diversity Database (CNDDB), a special-status species and plant community account database; the United States Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) system; and the California Native Plant Society (CNPS) Inventory of Rare Plants (CNPS Inventory) for the *Richmond*, *California* USGS 7.5-minute Topographic Quadrangle Map and the eight surrounding quadrangles (Appendix B) (CDFW 2025; CNPS 2025; USFWS 2025). The on-site assessment of biological resources within the project footprint and surrounding area (BSA), was completed by a qualified FCS Biologist and FCS Botanist on September 19, 2024, and April 22, 2025.

The following analysis is based on the results of the NESMI analysis of the BSA prepared by FCS in July 2025. Potential impacts to biological features within the project site are analyzed in this section. The BSA includes the project site and proposed staging areas. Nine biotic habitats and land cover types were identified within the 12.34-acre BSA, as shown in Table 2 below.

Table 2: Potential Temporary and Permanent Impacts by Biotic Habitat

Biotic Habitat/Land Use	Total Area (acres/LF)	Permanent Impacts (acres/SF)	Temporary Impacts (acres/SF)	Temporary Staging/ Access-Related Impacts (acres/LF)
Developed	11.56	0.01	0.20	11.23
Dirt access road	0.09	0	0.03	0.06
Wild oat-annual brome disturbed grassland	0.17	0	0.05	0.12
Coast live oak-California bay woodland	0.19	52 SF	0.11	0.08
California bay-big leaf maple riparian woodland	0.02	226 SF	0.02	0.00
Arroyo willow riparian woodland	0.20	0.01	0.19	0.00
Intermittent drainage	0.002	13 SF	74 SF	0
Ephemeral drainages	0.001	3 SF	53 SF	0
Underground culvert segments	735 LF	296 LF	417 LF	22 LF
Total Area	**12.34 acres**	**0.05 acre**	**0.63 acre**	**11.49 acres**

Notes:
LF = linear feet
SF = square feet
The remaining 0.087 acre/735 linear feet within the BSA account for the underground culvert segments that pass under San Pablo Dam Road.

SUMMARY:

a) Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or United States Fish and Wildlife Service?

Less Than Significant with Mitigation Incorporated:

Potential Special-status Plants: The Special-status Plant Species Habitat Value Evaluation Table (NESMI Table 2, Appendix B) provides a summary of the listing status, habitat requirements, and the potential for occurrence of other sensitive plant species that have been documented within the *Richmond, California* USGS 7.5-minute Topographic Quadrangle Map and the eight surrounding quadrangles.

A total of 67 special-status plant species were evaluated for their potential to occur within the proposed project site. Of the 67 species evaluated, six special-status plants have the potential to occur: bent-flowered fiddleneck (*Amsinckia lunaris*) (California Rare Plant Rank [CRPR] 1B.2), Mt. Diablo fairy-lantern (*Calochortus pulchellus*) (CRPR 1B.2), Oakland star-tulip (*Calochortus umbellatus*) (CRPR 4.2), Franciscan thistle (*Cirsium andrewsii*) (CRPR 1B.2), western leatherwood (*Dirca occidentalis*) (CRPR 1B.2), and fragrant fritillary (*Fritillaria liliacea*) (CRPR

1B.2). There would be no decrease in the suitable habitat in the project footprint where these plant species could be established. The areas disturbed by construction would be re-seeded with a native seed mix after construction but would remain in a similar condition as marginally suitable habitat for these species. These species are discussed in further detail below.

Bent-flowered Fiddleneck

The bent-flowered fiddleneck is an annual herb found in cismontane woodland, coastal bluff scrub, and valley and foothill grassland. The project site contains oak woodland and riparian woodland, which is marginally suitable habitat for bent-flowered fiddleneck. According to the CNDDB, one recent occurrence was recorded within 1 mile of the project site. No special-status plants were found during the reconnaissance-level survey. Because of the previous disturbance, it is presumed that bent-flowered fiddleneck is absent from the BSA. Out of an abundance of caution, rare plant surveys would be carried out between March through June by the proposed project, to ensure that no significant impact to bent-flowered fiddleneck would occur (MM BIO-1a). Therefore, the proposed project would not have a substantial adverse effect to bent-flowered fiddleneck and impacts would be less than significant under CEQA Guidelines.

Mt. Diablo Fairy-lantern

The Mt. Diablo fairy-lantern is a perennial bulbiferous herb found in chaparral, cismontane woodland, riparian woodland, and valley and foothill grassland. The project site contains oak woodland and riparian woodland, which is marginally suitable habitat for Mt. Diablo fairy-lantern. According to the CNDDB, four occurrences were recorded within 10 miles of the project site. No special-status plants were found during the reconnaissance-level survey. Because of the previous disturbance, it is presumed that Mt. Diablo fairy-lantern is absent from the BSA. Out of an abundance of caution, rare plant surveys would be carried out between April through June by the proposed project, to ensure that no significant impacts to Mt. Diablo fairy-lantern would occur (MM BIO-1a). Therefore, the proposed project would not have a substantial adverse effect to Mt. Diablo fairy-lantern and impacts would be less than significant under CEQA Guidelines.

Oakland Star-tulip

The Oakland star-tulip is a perennial bulbiferous herb found in broadleafed upland forest, chaparral, cismontane woodland, lower montane coniferous forest, and valley and foothill grassland. The project site contains oak woodland and riparian woodland, which is marginally suitable habitat for Oakland star-tulip. According to the CNDDB, six occurrences were recorded within 5 miles of the project site. No special-status plants were found during the reconnaissance-level survey. Because of the previous disturbance, it is presumed that Oakland star-tulip is absent from the BSA. Out of an abundance of caution, rare plant surveys would be carried out between March through May by the proposed project, to ensure that no significant impacts to Oakland star-tulip would occur (MM BIO-1a). Therefore, the proposed project would not have a substantial adverse effect to Oakland star-tulip and impacts would be less than significant under CEQA Guidelines.

Franciscan Thistle

Franciscan thistle is a perennial herb found in broadleafed upland forest, coastal bluff scrub, coastal prairie, and coastal scrub. The project site contains oak woodland and riparian woodland, which is marginally suitable habitat for Franciscan thistle. According to the CNDDB, two

occurrences were recorded within 1 mile of the project site. No special-status plants were found during the reconnaissance-level survey. Because of the previous disturbance, it is presumed that Franciscan thistle is absent from the BSA. Out of an abundance of caution, rare plant surveys would be carried out between March through July by the proposed project, to ensure that no significant impacts to Franciscan thistle would occur (MM BIO-1a). Therefore, the proposed project would not have a substantial adverse effect to Franciscan thistle and impacts would be less than significant under CEQA Guidelines.

Western Leatherwood

Western leatherwood is a perennial deciduous shrub found in broadleafed upland forest, chaparral, cismontane woodland, closed-cone coniferous forest, North Coast coniferous forest, riparian forest, and riparian woodland. The project site contains oak woodland and riparian woodland, which is marginally suitable habitat for western leatherwood. According to the CNDDB, several occurrences were recorded within 5 miles of the project site. No special-status plants were found during the reconnaissance-level survey. Because of the previous disturbance, it is presumed that western leatherwood is absent from the BSA. Out of an abundance of caution, rare plant surveys would be carried out between November through March by the proposed project, to ensure that no significant impacts to western leatherwood would occur (MM BIO-1a). Therefore, the proposed project would not have a substantial adverse effect to western leatherwood and impacts would be less than significant under CEQA Guidelines

Fragrant Fritillary

The fragrant fritillary is a perennial bulbiferous herb found in cismontane woodland, coastal prairie, coastal scrub, and valley and foothill grassland. The project site contains oak woodland and riparian woodland, which is marginally suitable habitat for fragrant fritillary. According to the CNDDB, two occurrences were recorded within 5 miles of the project site. No special-status plants were found during the reconnaissance-level survey. Because of the previous disturbance, it is presumed that fragrant fritillary is absent from the BSA. Out of an abundance of caution, rare plant surveys would be carried out by the proposed project to ensure that no significant impacts to fragrant fritillary would occur (MM BIO-1a). Therefore, the proposed project would not have a substantial adverse effect to fragrant fritillary and impacts would be less than significant under CEQA Guidelines.

Special-status Wildlife: The potential for wildlife species to occur on the proposed project parcel was evaluated based on the presence of suitable habitats, and occurrences recorded by the CNDDB in the general vicinity of the site, as well as a site survey conducted by a qualified Biologist. The Special-status Wildlife Species Habitat Value Evaluation (NESMI Table 2, Appendix B) provides a summary of the listing status, habitat requirements, and the potential for occurrence of other sensitive wildlife species that have been documented within the *Richmond, California* USGS 7.5-minute Topographic Quadrangle Map and the eight surrounding quadrangles.

A total of 44 special-status wildlife species were evaluated for their potential to occur within the BSA. Of the 44 species evaluated, three special-status wildlife species have the potential to occur: California red-legged frog (*Rana draytonii*), northwestern pond turtle (*Actinemys marmorata*), and Alameda whipsnake (*Masticophis lateralis euryxanthus*). These species are discussed in further detail below. Additionally, due to the presence of trees and the culverts, potential for special-status bat species were evaluated for their potential to occur. There were two special-status bat species that were evaluated: pallid bat (*Antrozous pallidus*) and Townsend's bid-eared bat

(*Corynorhinus townsendii*). When analyzed for potential to occur, it was determined that while there is marginally suitable habitat present, there is low potential for these species to occur given the lack of visible evidence of bats such as guano and staining, and CNDDB occurrences within 5-miles were over 60-years old.

California Red-legged Frog

California red-legged frog (CRLF) is listed under the federal Endangered Species Act as threatened and is a California Species of Special Concern (SSC). This species is found in lowlands and foothills in or near permanent sources of water with deep pooling features and dense, shrubby, or emergent riparian vegetation. The CRLF requires 11–20 weeks of permanent water for larval development and must have access to aestivation habitat. CRLF have been reported to disperse up to 1.7 miles from breeding habitat following the onset of fall/winter rainfall (Fellers and Kleeman 2007).

CRLF was not observed during the reconnaissance-level field survey. The project site contains riparian woodland and an intermittent drainage that connects to San Pablo Reservoir approximately 0.3 mile east. There was one occurrence recorded at the north edge of San Pablo Reservoir in 2008. There was one occurrence recorded approximately 1.5 miles southeast in 2007, within the dispersal distance of CRLF. There are many additional occurrences recorded within 5 miles of the project site. The project site does not overlap with final critical habitat designated for CRLF.

The project site does not contain critical habitat or provide breeding habitat for CRLF due to the lack of suitable deep aquatic habitat. Because of previous disturbances in the project site and the vicinity to a highly trafficked roadway combined with the overall biological composition, it is unlikely that this species would occur. However, the project site contains an intermittent drainage that connects to San Pablo Reservoir approximately 0.3 mile east of the BSA and marginally suitable riparian woodland to support this species. Given the recorded occurrence of CRLF approximately 1.5 miles southeast of the BSA and the presence of the riparian vegetated drainage that connects to San Pablo Reservoir, there is a potential for CRLF to utilize the areas in and around the BSA for in-stream and upland dispersal habitat after the onset of fall/winter rains. Out of an abundance of caution, avoidance measures would be carried out by the proposed project to ensure that no significant impact to CRLF occurs (MM BIO-1b). Therefore, the proposed project would not adversely impact CRLF.

Northwestern Pond Turtle

Northwestern pond turtle (NWPT) is proposed as threatened under the federal Endangered Species Act and is a California SSC. This species nests in ponds, marshes, rivers, streams and irrigation ditches, usually with aquatic vegetation, and requires upland habitat for basking.

NWPT was not observed during the reconnaissance-level field survey. The project site contains riparian woodland and an intermittent drainage that connects to San Pablo Reservoir approximately 0.3 mile east. There was one occurrence of NWPT recorded in the San Pablo Reservoir in 1992. In addition, there has also been one occurrence recorded approximately 1.5 miles west in Anza Lake in 2016, and one occurrence recorded approximately 2 miles northwest in Jewel Lake in 1992.

The project site does not contain critical habitat or provide suitable breeding habitat due to the intermittent nature of the drainage within the site and a general lack of basking habitat due to overstory vegetation. Because of previous disturbances in the project site and the vicinity to a highly trafficked roadway combined with the overall biological composition, it is unlikely that this species would occur. However, the intermittent drainage connects to San Pablo Reservoir approximately 0.3 mile east and contains marginally suitable riparian woodland habitat to support this species. Given the recorded occurrence of NWPT within San Pablo Reservoir and the presence of the riparian habitat within the existing drainage that connects to San Pablo Reservoir, there is a potential for NWPT to utilize the areas in and around the site for in-stream and upland dispersal habitat. Out of an abundance of caution, avoidance measures would be carried out by the proposed project to ensure that no significant impact to NWPT occurs (MM BIO-1c). Therefore, the proposed project would not adversely impact NWPT.

Alameda Whipsnake

The Alameda whipsnake (AWS) is listed as threatened under the federal Endangered Species Act and California Endangered Species Act. The AWS typically is found in chaparral and scrub habitats but will also use adjacent grassland, oak savanna, and woodland habitats. Specifically, mostly south-facing slopes and ravines, with rock outcrops, deep crevices or abundant rodent burrows, where shrubs form a vegetative mosaic with oak trees and grasses.

AWS was not observed during the reconnaissance-level field survey. The project site contains oak woodland and non-native annual disturbed grassland. There were three occurrences recorded within 1 mile of the BSA in 1999, 2000, and 2008. The project site overlaps with final critical habitat designated for AWS.

The project site does not contain chaparral or scrub habitats. The grassland and oak woodland present in the project site are subject to ongoing anthropogenic disturbance due to the adjacency to San Pablo Dam Road, Old San Pablo Dam Road, and dirt access roads, and therefore are unlikely to provide suitable habitat for the AWS. However, given the nearby recorded occurrences of this species and the overlap of Designated Final Critical Habitat for this species within the site, implementation of the measures described below would ensure that take of AWS is avoided. Out of an abundance of caution, avoidance measures would be carried out by the proposed project to ensure that no significant impact to AWS occurs (MM BIO-1d). Therefore, the proposed project would not adversely impact AWS.

Nesting Birds

The Migratory Bird Treaty Act (MBTA) and the California Fish and Game Code protect migratory birds, including their eggs, nests, and young. The majority of migratory birds that have the potential to nest within the project site are not special-status species and are regionally common. Nonetheless, the project would implement measures to avoid and minimize effects on active nests of migratory birds to comply with the MBTA and California Fish and Game Code. Several avian species covered under the MBTA and California Fish and Game Code have the potential to nest within or adjacent to the project site. Avian species observed during the reconnaissance-level field survey that have the potential to nest within, or within disturbance distance of the BSA include oak titmouse (*Baeolophus inornatus*), Anna's hummingbird (*Calypte anna*), brown creeper (*Certhia americana*), hairy woodpecker (*Dryobates villosus*), western flycatcher (*Empidonax difficilis*), dark-eyed junco (*Junco hyemalis*), orange-crowned warbler (*Leiothlypis celata*), acorn woodpecker (*Melanerpes formicivorus*), California towhee (*Melozone crissalis*), chestnut backed

chickadee (*Poecile rufescens*), bushtit (*Psaltriparus minimus*), black phoebe (*Sayornis nigricans*), white-breasted nuthatch (*Sitta carolinensis*), lesser goldfinch (*Spinus psaltria*), tree swallow (*Tachycineta bicolor*), Bewick's wren (*Thryomanes bewickii*), warbling vireo (*Vireo gilvus*), and others. No active nests were observed during the reconnaissance-level field survey. There is suitable nesting habitat within the project site, specifically in the form of trees that could be impacted during construction-related activities. Trees would be removed to support the culvert replacement and temporary impacts due to construction noise and vibration disturbance have potential to occur. However, all trees removed would be replanted after construction-related activities have ceased. While there is potential for birds to nest within the project site during the nesting season, implementation of MM BIO-1e described below would ensure that impacts would be less than significant.

Potential Impacts:

Implementation of the following mitigation measures would bring potential project-related impacts on biological resources and aquatic organisms to less than significant levels:

MM BIO 1a **Protocol-level Special-status Plant Survey:** Implementation of the following measures would ensure avoidance of impacts on special-status plant species:

A qualified Biologist shall conduct special-status plant survey(s) within the Biological Study Area (BSA) before the onset of work activities as determined by the California Department of Fish and Wildlife (CDFW) and East Bay Municipal Utility District (EBMUD). Surveys shall be conducted in a manner which maximizes the likelihood of locating special-status plants that may be on-site. Surveys shall be timed within the early, mid, and late season to capture the local blooming period of the target special-status plant species. If any special-status or EBMUD-monitored plant species are detected, construction activities shall not be allowed to commence until consultation with EBMUD and CDFW has occurred, as needed.

MM BIO 1b **Worker Environmental Awareness Program:** Before any activities begin on the project, a qualified Biologist shall provide a Worker Environmental Awareness Program (WEAP) for all construction personnel. At a minimum, the training shall include a description of the California red-legged frog (CRLF), northwestern pond turtle (NWPT), and Alameda whipsnake (AWS); their habitat; the regulatory protections afforded for these species; the general measures that are being implemented to conserve them as they relate to the proposed project; and the boundaries within which project activities may be accomplished.

MM BIO-1c **Exclusion Fencing or Temporary Silt Fencing:** Prior to project work activities, wildlife exclusion fencing shall be installed around the perimeter of the development footprint in a manner that will prevent California red-legged frog (CRLF), northwestern pond turtle (NWPT), and Alameda whipsnake (AWS) from entering the project impact areas. A qualified Biologist shall be present during the installation of the wildlife exclusion fencing. The barrier fencing shall be removed within 72 hours of completion of work. The location and design of the fence shall be approved by a qualified Biologist, and the qualified Biologist shall also be present on-site to monitor installation until the

exclusion fence is complete. At a minimum, the exclusion fencing shall be at least 3 feet high and the lower 6 inches of the fence shall be buried in the ground to prevent animals from crawling under. The remaining 2.5 feet shall be left above ground to serve as a barrier for animals moving on the ground surface. Fencing shall be installed and maintained in good condition during all construction activities and shall be inspected and maintained daily until the completion of project construction.

MM BIO-1d **California Red-legged Frog Mitigation:** Implementation of the following measures would ensure avoidance of impacts on California red-legged frog (CRLF):

Work Restriction: To the greatest extent practicable, project activities shall be restricted to the period between April 15 and October 15, when CRLF are the least active. If project activities are proposed outside of the work restriction period, consultation with the California Department of Fish and Wildlife (CDFW)/United States Fish and Wildlife Service (USFWS) shall be required to ensure appropriate avoidance and/or minimization measures are incorporated.

Pre-Construction Survey: A qualified Biologist shall survey the Biological Study Area (BSA) no more than 5 days before the onset of work activities and present survey results to the County, for submittal to CDFW. If any life stage of the CRLF is detected, construction activities shall not be allowed to commence until consultation with USFWS has occurred.

Revegetation: Areas disturbed by the project shall be revegetated utilizing an assemblage of native upland vegetation suitable for the area. Invasive, exotic plants shall be controlled to the maximum extent practicable during construction. This measure shall be implemented in all areas disturbed by activities associated with the project unless CDFW and the project applicant determine that it is not feasible or practical.

MM BIO-1e **Northwestern Pond Turtle Mitigation:** Implementation of the following measures would ensure avoidance of impacts on the northwester pond turtle (NWPT):

Pre-construction Survey: A qualified Biologist shall survey the Biological Study Area (BSA) no more than 5 days before the onset of work activities and present survey results to the County, for submittal to the California Department of Fish and Wildlife (CDFW). If any life stage of the NWPT is detected, construction activities shall not be allowed to commence until consultation with the CDFW and the United States Fish and Wildlife Service (USFWS) has occurred.

Revegetation: Areas scheduled for grading and/or vegetation shall be revegetated utilizing an assemblage of native upland vegetation suitable for the area. Invasive, exotic plants shall be controlled to the maximum extent practicable during construction. This measure shall be implemented in all areas

disturbed by activities associated with the project unless the CDFW, the USFWS, and the project applicant determine that it is not feasible or practical.

MM BIO-1f **Alameda Whipsnake Mitigation:** Implementation of the following measures would ensure avoidance of impacts on the Alameda whipsnake (AWS):

Work Restriction: To the greatest extent practicable, project activities shall be restricted to the period between April 15 and October 15, when AWS is more active and capable of moving away from proposed construction activities. If project activities are proposed outside of the work restriction period, consultation with California Department of Fish and Wildlife (CDFW)/United States Fish and Wildlife Service (USFWS) shall be required to ensure appropriate avoidance and/or minimization measures are incorporated.

Pre-Construction Survey: A qualified Biologist shall survey the project site within 24 hours prior to the initiation of construction-related activities for AWS and present survey results to the County, for submittal to the CDFW. If an individual is detected during the pre-construction survey, they shall be relocated to suitable habitat outside the project's impact areas (with approval from the USFWS as appropriate).

Construction Monitoring: A qualified Biologist(s) will be present during any construction activities that could, in the Biologist's opinion, potentially result in take of individual AWS. The Biologist(s) shall have the authority to stop any work that may result in take of this species. The on-site Biologist shall be the contact for any employee or Contractor who might inadvertently kill or injure an AWS or anyone who finds a dead, injured, or entrapped individual of any of these species. If an AWS is observed within the work area during project activities, all work that could result in the injury or death of the individual shall stop immediately and the qualified Biologist shall be immediately notified. The animal shall be allowed to leave the work area of its own volition. If it does not leave the area of its own volition, the CDFW shall be contacted to determine next steps. No individual of any of these species shall be handled without prior approval from the CDFW or USFWS.

Avoidance of Entrapment: To prevent inadvertent entrapment of AWS during construction, all excavated, steep-walled holes or trenches more than 1 foot deep would be covered at the close of each working day with plywood or other suitable material, or provided with one or more escape ramps constructed of earth fill or wooden planks. Before such holes or trenches are filled, they must be thoroughly inspected for trapped animals. All pipes, culverts, or similar structures stored overnight shall be inspected before they are subsequently moved, capped, and/or buried. If at any time wildlife is discovered, the approved Biologist shall be contacted to determine the next steps.

MM BIO-1g **Migratory Bird Mitigation:** Implementation of the following measures would ensure avoidance of impacts on migratory birds:

Avoidance of Nesting Season: To the extent practicable, vegetation and/or tree removal shall be scheduled to avoid the avian nesting season. The nesting season typically runs from February 1 through August 31.

Pre-Construction Surveys for Active Nests: If the proposed project requires vegetation and/or tree removal to be removed during the nesting season (February 1 to August 31), pre-construction nesting bird surveys shall be conducted no more than 7 days prior to the start of ground or vegetation disturbance (including tree removal) and survey results presented to the County, for submittal to the California Department of Fish and Wildlife (CDFW).

Buffer zone for Active Nests: If an active nest is located during pre-construction surveys, a qualified Biologist, in consultation with the CDFW, shall determine an appropriately sized avoidance buffer based on the species and anticipated disturbance level. The CDFW recommends a minimum no-disturbance buffer of 250 feet around active nests of non-listed bird species, ~~and~~ a 500-foot no-disturbance buffer around active nests of ~~non-listed~~smaller raptors such as accipiters, a 1,000-foot no-disturbance buffer around active nests of large raptors such as buteos, and up to a 1-mile no-disturbance buffer around active nests of bald and golden eagles if visible from the project site.~~)~~ A qualified Biologist shall delineate the avoidance buffer using Environmentally Sensitive Area fencing, pin flags, and/or yellow caution tape. In consultation with CDFW, the qualified Biologist shall monitor the active nest during the subject construction activities and modify the protection zone accordingly to prevent project-related nest disturbance. The buffer zone shall be maintained around the active nest site(s) until the **qualified Biologist has determined that the nesting attempt is complete**. No construction activities or construction foot traffic is allowed to occur within the avoidance buffer(s). In consultation with the CDFW, the qualified Biologist shall monitor the active nest during the subject construction activities and modify the protection zone accordingly to prevent project-related nest disturbance, until the young have fledged, or nests fail due to other natural causes.

b) *Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or United States Fish and Wildlife Service?*

Less Than Significant with Mitigation Incorporated: Habitats are considered sensitive when they are either restricted in distribution, support sensitive species within the region, or are subject to regulatory protections at the federal, State, or local level. The project site contains three open and vegetated intermittent and ephemeral channels (with four segments consisting of culvert pipes and one segment consisting of an open cement culvert/flume), that conveys flows into San Pablo Reservoir. The channels are flanked by riparian woodland habitats on both the upstream and downstream ends of the culvert pipes.

The existing coast live oak-California bay woodland, California Bay-bigleaf maple riparian woodland, and arroyo willow woodland riparian are regulated under Fish and Game Code Section 1602. Therefore, the project applicant would be required to consult with the CDFW under the

Lake and Streambed Alteration Program for proposed impacts to the sensitive natural community. Permits will be obtained from CDFW (Streambed Alteration Agreement) and Regional Water Quality Control Board (RWQCB) (Water Quality Certification), and United States Army Corps of Engineers (USACE) Nationwide Permit (NWP). Permit requirements will be followed to minimize impacts to water quality and riparian habitats. Temporary impacts to the riparian habitat will be minimized through implementation of MM BIO-2a, MM BIO 2b, and MM BIO-2c. It should be noted that the County is currently obtaining the required CDFW, RWQCB, and USACE permits; however, final permits have not yet been awarded by their respective regulatory agencies. Additionally, temporary and permanent impacts would be addressed by post-construction revegetation measures, indicating that any locations slated for grading or where existing vegetation is cleared will be replanted with native trees and a mix of native seeds that are ecologically appropriate for the site. Potential project-related impacts to sensitive natural communities and jurisdictional features are further discussed below.

Waters of the United States and State

A preliminary Aquatic Resources Jurisdictional Delineation was conducted on September 19, 2024. No potential wetlands were present on-site. Potential jurisdictional waters are summarized in Table 3 below:

Table 3: Summary of Aquatic Resources Within the Project Site

Type	Segment ID	Length (linear feet)	OHWM Width (feet)	Area (square feet)	Area (acre)
Open Intermittent Drainage Segment	1-1	87	1	87	0.002
Open Ephemeral Drainage Segment	1-1A	30	1	30	0.0007
Open Ephemeral Drainage Segment	1-1B	26	1	26	0.0006
Sum Open Drainage Segments	**—**	**143**	**N/A**	**143**	**0.0033**
Closed Culvert Segment	1-2A	205	2	410	0.01
Closed Culvert Segment	1-2B	205	2	410	0.01
Closed Culvert Segment	1-2C	270	1	270	0.01
Open Culvert Segment	1-3	25	2	50	0.001
Closed Culvert Segment	1-4	12	1	12	0.0003
Sum Culvert Segments	**—**	**717**	**N/A**	**1,152**	**0.0313**
Sum All Potentially Jurisdictional Waters	**—**	**860**	**N/A**	**1,295**	**0.0346**
Notes: OHWM = ordinary high water mark					

Potential waters of the United States include intermittent and ephemeral drainages with a total length of approximately 87 linear feet (87 square feet) (0.002 acre). Potential waters of the State include intermittent drainages with a total length of approximately 855 feet, 1,284 square feet (0.0346 acre). The proposed project would permanently impact a total of approximately 13 square feet of intermittent drainages, 3 square feet of ephemeral drainages, and 296 linear feet of underground culvert segments. Additionally, the proposed project would temporarily impact a total of approximately 74 square feet of intermittent drainages, 53 square feet of ephemeral

drainages, and 714 linear feet of underground culvert segments. Additionally, any impacts on drainage channels and associated tree removal within the existing riparian vegetation are expected to be regulated by the CDFW pursuant to the Streambed Alteration Program, California Fish and Game Code Section 1602, *et seq.* and would be replaced as a part of the proposed restoration plan. The existing aquatic features and riparian vegetation fall under protection of the CDFW, RWQCB, and USACE. The project applicant must consult with each regulatory agency, respectively, to address the proposed impacts to protected waters and associated riparian vegetation. Permit requirements will be followed to minimize impacts to water quality and potentially jurisdictional water features. With implementation of MM BIO-2a through MM BIO-2d outlined below, impacts to jurisdictional features and sensitive natural communities would be reduced to a less than significant level under CEQA.

All riparian woodland habitats are generally regarded as sensitive natural communities. Three sensitive natural communities as identified by the CDFW California Natural Communities List include: coast live oak-California bay woodland, California bay-bigleaf maple riparian woodland, and arroyo willow riparian woodland. The impact of the proposed project to these communities are further detailed below.

Coast Live Oak-California Bay Woodland

The upland portions of the BSA, including the staging area, consist of coast live oak-California bay woodland. The proposed project would permanently impact approximately 52 square feet of coast live oak-California bay woodland and temporarily impact an additional 0.08-acre for site access and potential staging (Figure 6). Permanent impacts associated with the installation of a culvert under San Pablo Dam Road includes the removal of approximately five trees located in the coast live oak-California bay woodland, north of the culverts, where the culvert pipe extends beyond the segment under the roadway. Areas temporarily impacted for site access and staging would readily recover post-construction, in addition to the replacement of removed trees within the BSA during the project-related restoration. Temporary impacts to existing trees, due to construction-related trenching and compaction, have potential to occur. Trees proposed for preservation within the existing coast live oak-California bay woodland will adhere to Tree Preservation Measures outlined in the project-specific arborist report throughout all phases of construction, including grading, trenching, and material storage, to prevent construction-related damage to preserved trees on-site (MM BIO-2d). The California bay-bigleaf maple riparian woodland is regulated under Fish and Game Code Section 1602. Therefore, the project applicant would be required to consult with the CDFW under the Lake and Streambed Alteration Program for proposed impacts to the sensitive natural community. Through adherence to MM BIO-1d and MM BIO-1e listed above, and MM BIO-2a and MM BIO-2d listed below, potential impacts to sensitive natural communities, including coast live oak-California bay woodland, would be reduced to a less than significant level under CEQA.

California Bay-Bigleaf Maple Riparian Woodland

The portion of the BSA surrounding the north end of the underground culvert and open paved culvert segment consists of California bay-bigleaf maple riparian woodland. The proposed project would permanently impact 226 square feet of California bay-bigleaf maple riparian woodland and temporarily impact 0.02 acre, none of which is associated with staging-related activities (Figure 6). Permanent impacts associated with the installation of a culvert under San Pablo Dam Road includes the removal of approximately four trees located in the California bay-bigleaf maple

riparian woodland, north of the culverts, where the culvert pipe extends beyond the segment under the roadway. Temporary impacts to existing trees, due to construction-related trenching and compaction, have potential to occur. Trees proposed for preservation within the existing California bay-bigleaf maple riparian woodland will adhere to Tree Preservation Measures outlined in the project-specific arborist report throughout all phases of construction, including grading, trenching, and material storage, to prevent construction-related damage to preserved trees on-site (MM BIO-2d). The California bay-bigleaf maple riparian woodland is regulated under Fish and Game Code Section 1602. Therefore, the project applicant would be required to consult with the CDFW under the Lake and Streambed Alteration Program for proposed impacts to the sensitive natural community.

Vegetation and Land Cover Types	BSA	Staging	Temp Impact	Perm Impact
Arroyo Willow Riparian Woodland	0.20 acre	0.00 acre	0.19 acre (7,991 sq. ft.)	0.01 acre (306 sq. ft.)
California Bay-Bigleaf Maple Riparian Woodland	0.02 acre	0.00 acre	0.02 acre (788 sq. ft.)	0.00 acre (226 sq. ft.)
Coast Live Oak-California Bay Woodland	0.19 acre	0.08 acre	0.11 acre (4,765 sq. ft.)	0.00 acre (52 sq. ft.)
Wild Oat-Annual Brome Disturbed Grassland	0.17 acre	0.12 acre	0.05 acre (1,985 sq. ft.)	0.00 acre
Developed	11.56 acres	11.23 acre	0.20 acre (8.852 sq. ft.)	0.01 acre (419 sq. ft.)
Dirt Access Road	0.09 acre	0.06 acre	0.03 acre (788 sq. ft.)	0.00 acre
Paved Flume	0.02 acre	0.00 acre	0.01 acre (379 sq. ft.)	0.01 acre (323 sq. ft.)
Intermittent Drainage	0.002 acre	0.00 acre	0.002 acre (74 sq. ft.)	0.00 acre (13 sq. ft.)
Ephemeral Tributary	0.001 acre	0.00 acre	0.001 acre (53 sq. ft.)	0.00 acre (3 sq. ft.)
Underground Culvert Segment	735 ft.	22 ft.	417 ft.	296 ft.

Source: ESRI Aerial Imagery. Contra Costa County 09/18/2024, updated 10/30/2024, revised 11/26/2024, revised again 03/25/2025.

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60 30 0 60 Feet

Figure 6
Vegetation and Land Cover Impact Map

Additionally, MM BIO-1b and MM BIO-1c address post-construction revegetation measures, indicating that any locations slated for grading or where existing vegetation is cleared will be replanted with a mix of native upland species that are ecologically appropriate for the site. Through adherence to MM BIO-1d and MM BIO-1e listed above, and MM BIO-2a and MM BIO-2d listed below, potential impacts to sensitive natural communities, including California bay-bigleaf maple riparian woodland, would be reduced to a less than significant level under CEQA.

Arroyo Willow Riparian Woodland

The portion of the BSA surrounding the south end of the underground culvert segment consists of arroyo willow riparian woodland. The proposed project would permanently impact 0.01-acre/306 square feet of arroyo willow riparian woodland and temporarily impact 0.19 acre, none of which is associated with staging-related activities (Figure 6). Permanent impacts associated with the installation of a culvert under San Pablo Dam Road include the removal of approximately four trees located in the California bay-bigleaf maple riparian woodland north of the culverts, where the culvert pipe extends beyond the segment under the roadway. Temporary impacts to existing trees, due to construction-related trenching and compaction, have potential to occur. Trees proposed for preservation within the existing arroyo willow riparian woodland will adhere to Tree Preservation Measures outlined in the project-specific arborist report throughout all phases of construction, including grading, trenching, and material storage, to prevent construction-related damage to preserved trees on-site (MM BIO-2d). The arroyo willow riparian woodland is regulated under Fish and Game Code Section 1602. Therefore, the project applicant would be required to consult with CDFW under the Lake and Streambed Alteration Program for proposed impacts to the sensitive natural community. Additionally, MM BIO-1b and MM BIO-1c address post-construction revegetation measures, indicating that any locations slated for grading or where existing vegetation is cleared will be replanted with a mix of native upland species that are ecologically appropriate for the site. Through adherence to MM BIO-1d and MM BIO-1e listed above, and MM BIO-2a and MM BIO-2d listed below, potential impacts to sensitive natural communities, including arroyo willow riparian woodland, would be reduced to a less than significant level under CEQA Guidelines.

Potential Impacts:

Implementation of MM BIO-1d and MM BIO-1e and the following mitigation measures (MM BIO-2a through MM BIO-2d) would bring potential project-related impacts on sensitive natural communities to less than significant levels:

MM BIO-2a **Obtain Approval of and File Notification of Streambed Alteration Agreement Prior to Construction (After Agency Coordination)**

The project applicant shall coordinate with California Department of Fish and Wildlife (CDFW) and obtain and file a notification of a Streambed Alteration Agreement, if and to the extent required by applicable laws and regulations, prior to conducting construction activities within any riparian corridor. If required, the applicant shall implement all mitigation measures imposed by the CDFW related to the subject Streambed Alteration Agreement, which may include but not be limited to the implementation of erosion and bank stabilization measures, riparian habitat enhancement, and/or restoration and revegetation of the stream corridor habitat as determined by the CDFW.

MM BIO-2b **Obtain Approval of and File Notification of Section 401 Permit Prior to Construction (After Agency Coordination)**

The project applicant shall coordinate with the Regional Water Quality Control Board (RWQCB) and obtain and file a notification of a Section 401 Permit, if and to the extent required by applicable laws and regulations, prior to conducting construction activities within any jurisdictional feature. If required, the applicant shall implement all mitigation measures imposed by the RWQCB related to the subject Section 401 Permit, which may include, but not be limited to, the implementation of erosion and bank stabilization measures, compensatory mitigation, stream corridor enhancement, and/or restoration and revegetation of the stream corridor habitat, as determined by the RWQCB.

MM BIO-2c **Obtain Approval of and File Notification of Section 404 Permit Prior to Construction (After Agency Coordination)**

The project applicant shall coordinate with the United States Army Corps of Engineers (USACE) and obtain and file a notification of a Section 404 Permit, if and to the extent required by applicable laws and regulations, prior to conducting construction activities within any jurisdictional feature. If required, the applicant shall implement all mitigation measures imposed by the USACE related to the subject Section 404 Permit, which may include, but not be limited to, the implementation of erosion and bank stabilization measures, compensatory mitigation (if deemed necessary during the USACE consultation process), stream corridor enhancement, and/or restoration and revegetation of the stream corridor habitat, as determined by the USACE.

MM BIO-2d **Compliance with Arborist Report Tree Preservation Measures**

Trees proposed for preservation shall be protected in accordance with the Tree Preservation Measures outlined in the project-specific arborist report. The County, Contractor, and all site personnel must adhere to these Tree Preservation Measures throughout all phases of construction, including grading, trenching, and material storage. Preservation measures include, but are not limited to protective fencing, root zone safeguards, and other specified actions that shall be installed and/or maintained by qualified personnel to prevent construction-related damage to preserved trees on-site.

c) *Would the project have a substantial adverse effect on State or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?*

No Impact: The USACE and the United States Environmental Protection Agency (EPA) are two of the primary federal agencies which enforce the Clean Water Act and administer the associated permitting program. As such, these agencies define wetlands as areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

Under Section 404 of the Clean Water Act (CWA), the USACE regulates the discharge of dredged or fill material into waters of the United States. Waters of the Unites States include navigable and interstate waters, tributaries, impoundments, and adjacent wetlands with a continuous surface connection, with USACE jurisdiction typically extending to the ordinary high water mark (OHWM). Wetlands indicators include hydrophytic vegetation, hydric soils, and hydrology, with continuous surface connection to a traditional navigable water (TNW). Under Section 401 of the CWA, the RWQCB defines waters of the State as any surface water or groundwater, including rivers, lakes, streams, wetlands, and other water bodies, whether navigable or not and may include features not regulated as waters of the United States, such as isolated wetlands or ephemeral drainages.

According to the field survey conducted by FCS, the subject property does not contain wetlands that may be considered jurisdictional by USACE, the EPA, the CDFW, or the RWQCB because the site lacks evidence of all three parameters (wetland soils, hydrology, and vegetation) that are used to indicate wetlands. Discussion of other jurisdictional non-wetland aquatic features, including waters of the United States and waters of the State, are analyzed in checklist question (b) above. Thus, the proposed project would have no substantial adverse effect on a federally protected wetland.

d) *Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of wildlife nursery sites?*

Less Than Significant with Mitigation Incorporated: Based on the Essential Connectivity Areas geospatial data set, which uses habitat modeling to identify areas of land with value as wildlife corridors, the project site is defined as having limited connectivity opportunities. The site is also adjacent to developed land that is also defined as having limited connectivity opportunities. The project site provides minimal habitat connectivity for local wildlife, as the majority of the site constitutes either a developed two-lane road or disturbed riparian woodland surrounding the road. Therefore, the proposed project would not impact wildlife movement corridors.

The project site does not contain native wildlife nursery sites. No significant breeding/nesting colonies were observed during the field survey. However, individual nesting birds have the potential of being present on-site, during nesting seasons. Potential impacts to individual nesting birds are addressed through the implementation of MM BIO-1e. As such, impacts to wildlife nursery sites would be less than significant with implementation of MM BIO-1e.

e) *Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?*

Less Than Significant Impact with Mitigation Incorporated: An Arborist Report was produced for the proposed project by an FCS Arborist (International Society of Arboriculture Certified [ISA] Certification ID: WE-15232A) in September 2025 (Appendix B). Contra Costa County provided FCS with a preliminary tree inventory and associated diameters at breast height (DBHs) based on a tree survey conducted by the County in April 2025. It was requested that an FCS Arborist verify the preliminary April 2025 tree inventory and measurements, as well as evaluate all tree species, size (i.e., height, crown), and condition, with a DBH of 6.5 inches or greater within the proposed project grading limits. The FCS Arborist performed a supplemental arborist survey of existing trees on the project site on August 28, 2025.

An ISA-Certified Arborist evaluated a total of 31 trees located within the BSA, including 27 trees that were assessed as being within the proposed grading limits and four proposed for preservation. Tree species present in the non-developed portions of the project site include, but are not limited to, coast live oak, California bay, and arroyo willow. The County proposes to preserve approximately four trees within the BSA and remove approximately 27 trees, within grading limits. The project site contains County-protected tree species, with a DBH of 6.5 inches or greater, as defined by local Municipal Code Chapter 816-6 – Tree Protection and Preservation Ordinance, that typically fall under County tree regulations. However, County Public Works Department projects are considered exempt from the local ordinance and therefore are not subject to local tree regulations. Therefore, the proposed project would not conflict with any local ordinances protecting biological resources, including trees.

Although the proposed project is exempt from the local tree ordinance, the County proposes to revegetate areas through implementation of MM BIO-1b and MM BIO-1c, which address post-construction revegetation measures, indicating that any locations slated for grading or where existing vegetation is cleared will be replanted with a mix of native upland species that are ecologically appropriate for the site. Additionally, adherence to MM BIO-2a and MM BIO-2d would reduce potential construction-related impacts to trees proposed for removal and/or preservation, that fall within the on-site riparian woodland, under protection of the CDFW. The project applicant must consult with the CDFW and the RWQCB, to address the proposed impacts to protected waters and associated riparian vegetation. Therefore, through adherence to MM BIO-1b, MM BIO-1c, and MM BIO-2a and MM BIO-2d listed above, any potential impacts due to project development would be further reduced to less than significant levels.

f) Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State Habitat Conservation Plan?

No Impact: The East Contra Costa County Habitat Conservation Plan/Natural Community Conservation Plan (ECCC HCP/NCCP) was adopted by the County in October of 2006. The purpose of this plan is to provide a framework to protect natural resources while streamlining the environmental permitting process for impacts to covered special-status species within the rapidly expanding region of eastern Contra Costa. The proposed project site is not located within an area of Contra Costa County that is covered by the ECCC HCP/NCCP. Thus, the proposed project would not conflict with any conservation plan.

Sources of Information

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Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
5. *CULTURAL RESOURCES–Would the project:*				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	☐	☒	☐	☐
c) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☒	☐	☐

SUMMARY:

a) Would the project *cause a substantial adverse change in the significance of a historical resource pursuant to* California *Environmental Quality Act Guidelines Section 15064.5?*

No Impact: Historical resources in this context refer to the built environment, mainly buildings and structures over 45 years in age that may be eligible for inclusion on the California Register of Historical Resources (CRHR). The CRHR includes the National Register of Historic Places (NRHP), as well as some California Historical Landmarks and Points of Historical Interest. The records search conducted at the Northwest Information Center (NWIC) on July 23, 2025, did not identify any historic era built environment resources within the 0.5-mile search radius, nor within the proposed project boundaries. Additionally, the August 1, 2025 pedestrian survey failed to identify any historical resources within the project boundaries. Thus, the proposed project would not cause a substantial adverse change to historical resources, and no mitigation measures are required.

b) Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to California Environmental Quality Act Guidelines Section 15064.5?

Less Than Significant With Mitigation Incorporated: Section 15064.5 of the CEQA Guidelines defines significant archaeological resources as resources that meet the criteria for historical resources, as discussed above, or resources that constitute unique archaeological resources. A project-related significant adverse effect could occur if a project were to affect archaeological resources that fall under either of these categories.

Records search results from the NWIC indicate that six (three pre-contact and three pre-contact/historic) archaeological resources have been recorded within the 0.5-mile search radius, none of which are located within the project site boundaries. Additionally, the pedestrian survey conducted on August 1, 2025, did not identify any previously unidentified archaeological resources. All traversable areas of the project site were closely inspected for culturally modified soils or other indicators of potential historic or pre-contact resources. Ground visibility was less than 20 percent due to overgrown foliage; additionally, the project site is immediately adjacent to San Pablo Dam Road. Therefore, it is possible that earthmoving activities associated with project construction could encounter previously undiscovered archaeological resources. Archaeological resources can include but are not limited to stone, bone, wood, or shell artifacts or features,

including hearths and structural elements. Damage or destruction of these resources would be a potentially significant impact.

As described further in Impact 18(b), the County conducted Tribal Consultation with the CVLN in order to agree to measures to mitigate or avoid a significant effect on a Tribal Cultural Resource (TCR). An agreement was reached, and consultation was concluded on August 20, 2025, after meetings to evaluate the potential presence of resources within the project site. Implementation of MM CUL-1, MM CUL-2 and MM CUL-3 would ensure that this potential impact is reduced to a less than significant level.

As such, the proposed project would not cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5 with the implementation of MM CUL-1, MM CUL-2 and MM CUL-3. Impacts would be less than significant with mitigation incorporated.

Potential Impacts:

Implementation of the following mitigation measures would ensure that potential impacts from construction activities to archaeological resources, pursuant to Section 15064.5, would be reduced to less than significant levels.

MM CUL-1 Unanticipated Discovery of Cultural Resources:

- Contractor shall be notified of the possibility of encountering historic or archaeological materials during ground-disturbing activities. A standard inadvertent discovery clause will be included in every construction contract to inform Contractors of requirements during construction.
- Prior to the initiation of construction activities, a qualified Archaeologist shall provide Worker Environmental Awareness Program (WEAP) training to construction personnel with an overview of applicable laws, project mitigation measures, and procedures to be followed with regard to historical, archaeological, and Tribal resources that may be encountered over the course of the project.
- Procedures for discovery include:
  - If potential archaeological or Tribal cultural materials are encountered during construction, the Contractor shall cease all ground-disturbing activities within a 100-foot radius of the find. The Contractor shall immediately notify the District Resident Engineer or their designated representative to request a qualified Archaeologist and Confederated Villages of Lisjan Nation (CVLN) representative to assess the nature and significance of the find. The Archaeologist shall stake the area of discovery, placing stakes no more than 10 feet apart, forming a circle having a radius of no less than 100 feet from the point of discovery.
  - If the finding(s) is not determined to be potentially significant, work may resume.
  - If the finding(s) is determined to be potentially significant, the Archaeologist in consultation with the Tribal representative shall develop a mitigation plan, which shall be implemented by the entity in accordance with State guidelines and in consultation with the consulting Tribe. The mitigation plan shall include avoidance of the

resource or, if avoidance of the resource is not feasible, the plan shall outline appropriate treatment of the resource in coordination with the consulting Tribe and, if applicable, a qualified archeologist. Examples of appropriate mitigation for the Tribal Cultural Resources (TCRs) include, but are not limited to, protecting the cultural character and integrity of the resources, protecting traditional use of the resources, protecting the confidentiality of the resources, or heritage recovery. Preservation in place (i.e., avoidance) is typically the preferred manner of treatment of Tribal resources and cultural items. No photography of resources is permitted.

- Any previously undiscovered resources found during construction within the Project Site shall be recorded on appropriate California Department of Parks and Recreation (DPR) 523 forms and shall be submitted to Contra Costa County Department of Conservation and Development, the Northwest Information Center (NWIC), and the California Office of Historic Preservation (OHP), as required.

c) *Would the project disturb any human remains, including those interred outside of formal cemeteries?*

Less Than Significant With Mitigation Incorporated: While no formal cemeteries or areas containing human remains are known to be in the project site's vicinity, the possibility always exists that construction-related ground disturbance may uncover previously undiscovered human remains. In the unlikely event such a discovery is made, CEQA Guidelines Section 15064.5, Health and Safety Code Section 7050.5, and Public Resources Code Section 5097.94 and Section 5097.98 must be followed. Additionally, implementation of MM CUL-2, which details inadvertent discovery procedures, would reduce potential impacts to previously undiscovered human remains to a less than significant level.

Potential Impacts:

Implementation of the following mitigation measure would reduce the potential to disturb any human remains, including those outside of formal cemeteries, to a less than significant level:

MM CUL-2 Impact to Previously Undiscovered Human Remains

- In the event of the accidental discovery or recognition of any human remains, there shall be no further excavation or disturbance within 100 feet of the remains until the Contra Costa County Coroner is contacted to determine whether the remains are Native American and if an investigation of the cause of death is required. At the same time, an Archaeologist shall be contacted to assess the situation.
- If the Coroner determines the remains to be Native American, the Coroner shall contact the Native American Heritage Commission (NAHC) within 24 hours of this identification. The NAHC shall identify a Most Likely Descendant (MLD) to inspect the site and provide recommendations for the proper treatment of the remains and associated funerary objects.
- If the Confederated Villages of Lisjan Nation (CVLN) is designated as the MLD, the Tribe shall make every effort to recommend keeping ancestral

remains and funerary objects in situ and protected. If removal of burials is necessary, Tribal representatives shall work with the qualified Archaeologist to ensure that excavation and documentation are treated carefully, ethically, and respectfully. No photography, testing, or scientific study, destructive or non-destructive, shall be conducted on ancestral human remains. All bone, if not identifiable as human or animal, shall be treated as human remains and the appropriate protocols followed. The Archaeologist shall prepare a report of all activities, including documenting methods and results as well as recommendations for the treatment of the human remains and any associated archaeological materials. The report shall be submitted to the District, the Northwest Information Center (NWIC), and the Tribe.

- Tribal representatives shall rebury the Native American human remains and associated funerary objects with appropriate dignity either: (1) in accordance with the recommendations of the MLD if available; or (2) in the project vicinity at a location decided upon between the CVLN representative and the County, where the reburial would be accessible to Tribal members in perpetuity and would not be subject to further disturbance. The discovery is to be documented on California Department of Parks and Recreation (DPR) 523 forms and otherwise kept confidential and secure to prevent any further disturbance.

Sources of Information

Confidential records search results from the NWIC, NAHC Tribal correspondence and pedestrian survey photographs can be found in Appendix C.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
6. *ENERGY–Would the project:*				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	☒	☐
b) Conflict with or obstruct a State or local plan for renewable energy or energy efficiency?	☐	☐	☒	☐

SUMMARY:

a) Would the project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

Less Than Significant Impact. The proposed project is a public infrastructure repair project involving trenchless culvert installation, grouting, concrete work, and roadway rehabilitation over approximately 115 working days in 2026. Energy usage would primarily occur during construction, with no long-term operational energy demands or usage expected beyond periodic maintenance typical of road infrastructure. Because this is a replacement and rehabilitation project (rather than new infrastructure), it avoids expansion-related operational emissions or energy demands.

Construction

The proposed project would result in temporary energy use during construction activities. Key sources of energy use during construction include diesel or gasoline fuel use for heavy equipment, transportation for hauling materials and workers to and from the site, and electricity or fuel use for concrete and grout mixing operations (if conducted on-site).

However, this energy use is considered typical for infrastructure repair projects of this scale and is not wasteful or inefficient for the following reasons:

- The proposed project would utilize trenchless methods (pipe ramming and jack and bore), which reduce surface disturbance, minimize material hauling needs, and require less intensive roadway demolition and reconstruction than open-cut methods.
- The use of modern construction equipment with more stringent emissions and fuel efficiency standards (pursuant to California Air Resources Board [ARB] regulations) would help limit unnecessary energy consumption. Furthermore, the construction process itself is already designed to be efficient to minimize additional fuel use. Construction would be short-term (approximately 115 working days) and scheduled to avoid extended periods of idling or redundant work.
- All trenchless and concrete work would be done in place, reducing the need for large-scale transport of soil or off-site prefabrication. There would be minimal soil import or export for soil piles generated by boring the new culvert, which would reduce fuel use associated with haul trips using heavy-duty vehicles.

- Energy use associated with worker commutes, equipment mobilization, and material deliveries is not unusual and would be minimized through proper planning and staging.

Operation

Post-construction, the proposed project would not be associated with ongoing energy use. Once complete, the culverts and rehabilitated road surface would not require ongoing energy use, apart from standard maintenance. No energy-consuming features such as street lighting, pumps, or mechanical systems are being installed.

The project would not result in wasteful, inefficient, or unnecessary energy consumption during construction or operation. The energy use is limited in duration, scope, and scale, and the construction methods are inherently more efficient than conventional alternatives, and impacts would be less than significant.

b) Would the project conflict with or obstruct a State or local plan for renewable energy or energy efficiency?

Less Than Significant Impact. The proposed project is located in unincorporated Contra Costa County. The analysis considers whether the proposed project would conflict with or obstruct the 2045 General Plan the CAAP, and the 2022 ARB Scoping Plan.

2045 General Plan and CAAP

Energy goals and policies are integrated into the 2045 General Plan and the CAAP. Initiatives include reducing vehicle emissions. Implementation of these initiatives would help promote energy efficiency and reduced energy use associated with the proposed project.

Consistency Analysis

The proposed project would rehabilitate existing transportation infrastructure, which supports the 2045 General Plan/CAAP by improving resilience and extending asset life without inducing growth or unnecessary fuel use. It uses energy-efficient construction methods (such as trenchless installation), minimizing material hauling and surface disturbance which supports Policy TR-2 Actions of the CAAP, which calls for increasing the use of zero-emission vehicles. By replacing aging, failed infrastructure, the proposed project also supports adaptation to climate change. Overall, the proposed project would not add new, permanent energy-consuming infrastructure, and avoids expanded road capacity or traffic-inducing features, thus consistent with GHG and energy reduction goals of the 2045 General Plan/CAAP as described above.

2022 Scoping Plan

The 2022 ARB Scoping Plan outlines how the State will achieve carbon neutrality by 2045, including strategies to reduce energy demand, electrify equipment, and decarbonize infrastructure projects.

Consistency Analysis

The proposed project would involve short-term energy use during construction, which is typical and minimal compared to energy-intensive industrial or operational projects. Use of modern, emissions-compliant equipment and avoidance of unnecessary material transport or disturbance is consistent with ARB strategies for efficiency and emission reduction. Furthermore, as described

above, the proposed project would not result in wasteful or inefficient energy use, which is inherently consistent with the 2022 Scoping Plan.

The proposed project would not conflict with or obstruct a State or local plan for renewable energy or energy efficiency, and impacts would be less than significant.

Sources of Information

Contra Costa County. 2045 General Plan. 2024. November. Website: https://www.contracosta.ca.gov/4732/General-Plan. Accessed August 12, 2025.

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Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
7. *GEOLOGY AND SOILS*–*Would the project*:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?	☐	☐	☐	☒
ii) Strong seismic ground shaking?	☐	☐	☒	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☒	☐	☐
iv) Landslides?	☐	☒	☐	☐
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☒	☐	☐
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☐	☒	☐
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☒	☐	☐

SUMMARY:

a) Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?

No Impact. Surface rupture occurs when strong seismic shaking causes an active fault to offset and break through the surface. Because of the threat surface rupture poses to structures directly located on, or in proximity to active fault lines, the State of California established regulatory zones under the Alquist-Priolo Earthquake Fault Zoning Act of 1972 directly around active fault lines capable of producing surface rupture.

The project site is not located on, or in direct proximity to an active fault line delineated as a Special Study Zone. The closest active fault line is the Hayward Fault located approximately 2.2

miles west of the project site where the risk of surface rupture is negligible. Since the project site is not situated on or in direct proximity to an Alquist-Priolo Earthquake Fault, the construction activities and operation associated with the proposed project would not directly or indirectly risk the loss or injury of individuals from rupture of a known earthquake fault. Therefore, the proposed project would have no impact pertaining to substantial adverse effects involving the rupture of a known earthquake fault.

ii) Strong seismic ground shaking?

Less Than Significant Impact. Seismic ground shaking is caused by the sudden movement along active fault lines resulting in the release of stored energy in the form of seismic waves. The intensity of ground shaking depends on many factors including subsurface conditions beneath the project site, distance from the epicenter, depth of the hypocenter, the direction of surface rupture, and the strength of building materials. The project site is located within the San Andreas Fault System consisting of many major northwest striking right lateral strike-slip faults and other lesser-known faults. The closest major fault line is the Hayward Fault located approximately 2.2 miles west of the project site.

Since the project site is in a seismically active region, there is a potential for strong seismic shaking to occur. Development of the proposed project would include the use of contact grouting around the exterior of the pipes to ensure that the newly installed pipes are properly supported, such as in the event of ground shaking, and will stabilize compromised soils. Construction of the proposed project would involve the use of a pneumonic hammer that could cause seismic shaking. However, seismic shaking as a result of proposed project construction would be temporary. Proposed project operations would not involve uses related to seismic ground shaking. The proposed project would not construct any buildings that could expose individuals to the risk of injury or loss from strong seismic shaking. Completion of the proposed project would result in similar infrastructure as existing conditions. Therefore, impacts would be less than significant.

iii) Seismic-related ground failure, including liquefaction?

Less Than Significant Impact With Mitigation Incorporated. Liquefaction is a secondary hazard generated from strong seismic shaking that occurs in loose water-saturated sandy soils with a shallow water table. Strong seismic shaking causes the water table to temporarily pull aggregates apart, turning soils from a solid into a liquid-like state and may cause the subsidence or tilting of structures and utilities to rise to the surface. Areas susceptible to liquefaction are mapped as regulatory zones by the California Geological Survey (CGS) under the Seismic Hazard Mapping Act.

According to the Department of Conservation's CGS Earthquake Zones of Required Investigation, the project site is located within a Liquefaction Zone of Required Investigation. As such, the repair of the culvert system and the roadway could be susceptible to liquefaction if not designed properly. A Geotechnical Report and supplemental materials were produced for the proposed project by BSK Associates in 2024 (Appendix D). Appendix D contains recommendations to address seismic-related ground failure, such as conducting deeper foundation excavations if loose or soft soil is encountered. Appendix D recommends retaining a Certified Engineering Geologist (CEG) to monitor proposed project construction. As such, MM GEO-1 would be incorporated as part of the proposed project to ensure existing soil conditions and applicable recommendations are consistent with those included in Appendix D.

Furthermore, the proposed project would not develop any structures intended for occupancy that could expose individuals to seismically induced liquefaction. Since the proposed project would incorporate MM GEO-1, and completion of the proposed project would be similar to already existing conditions, the proposed project would not result in the injury or loss of individuals from seismically induced liquefaction. Therefore, the proposed project would have a less than significant impact with mitigation pertaining to seismically induced liquefaction.

Potential Impact:

Ground disturbance during the proposed project's construction phase has the potential to contribute to seismic-related ground failure. The following mitigation measure will ensure that design recommendations from the Geological and Geotechnical Investigation Report will be adequately applied during development of the proposed project.

MM GEO-1 **Soil Condition Monitoring:** A Geologist under the supervision of a Certified Engineering Geologist (CEG) working for the Geotechnical Engineer-of-Record, and approved by the Contra Costa County Department of Conservation and Development prior to issuance of any construction permit, shall be retained for construction of the proposed project. The CEG shall monitor for soil stability prior to and during all excavations and earthwork activities for construction of the proposed project. The CEG shall evaluate the applicability of the recommendations presented in the Geological & Geotechnical Investigation Report by BSK Associates to the subsurface conditions encountered. If required, the CEG shall recommend appropriate changes in design or construction procedures if conditions differ from those outlined in the report.

iv) Landslides?

Less Than Significant Impact With Mitigation Incorporated. Landslides are the downslope movement of earthen materials that are typically located on steep slopes comprised of weak soils and rock that can be generated from strong seismic shaking. The project site is located on relatively steep terrain consisting of an approximate 45-foot elevation gain from Old San Pablo Dam Road from the east to San Pablo Dam Road to the west. The General Plan Health and Safety Element identifies the project site as being within an area having significant slopes with past landslide activity. The project site is also in direct proximity to Landslide Zones of Required Investigation by the CGS. As such, the repair of the culvert system and roadway could be susceptible to seismically induced landslides if not designed properly.

A geotechnical report and supplemental materials were prepared for the proposed project and are included in Appendix D. Appendix D includes design recommendations to reduce impacts pertaining to weak soil conditions that could induce landslides. These recommendations include conducting deeper foundation excavations if loose or soft soil is encountered and the utilization of contact grouting around the exterior of the pipes to ensure that the newly installed pipes are properly supported and embedded in appropriate material. Grouting would also assist in stabilizing compromised soils between the culvert system and roadway surface. These recommendations would be implemented appropriately with the incorporation of MM GEO-1. In addition, the proposed project would not construct any structures intended for occupancy that could expose individuals to seismically induced landslides. Moreover, according to Appendix D, no landslides have been previously recorded on the project site. Since the proposed project would

incorporate MM GEO-1, and completion of the proposed project would be similar to already existing conditions, the proposed project would not result in the risk of injury or loss of individuals from seismically induced landslides. Therefore, the proposed project would have a less than significant impact with mitigation related to seismically induced landslides.

b) Would the project result in substantial soil erosion or the loss of topsoil?

Less Than Significant Impact: The proposed project would involve construction activities that could increase the rate and amount of soil erosion. While the proposed project disturbs less than one acre of soil and no Storm Water Pollution Prevention Plan (SWPPP) is required under the 2022 National Pollutant Discharge Elimination System (NPDES) Construction Stormwater Construction General Permit, a Water Pollution Control Plan for compliance with County standards will be prepared prior to construction, which establishes stormwater pollution prevention measures for construction projects less than one acre in size through implementing good housekeeping BMPs to manage non-stormwater discharges. These measures include, but are not limited to, mulching or hydroseeding, perimeter sediment control, and the installation of temporary sediment basins. Lastly, the proposed project would be required to comply with General Plan Goals and Policies such as Policy PFS-A5.4, mandating programs for development projects along watercourses to include erosion control. Since the proposed project would be required to comply with State and local regulations on soil erosion, the proposed project would not result in substantial soil erosion or the loss of topsoil. Therefore, the proposed project would have a less than significant impact on soil erosion and the loss of topsoil.

c) Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

Less Than Significant Impact With Mitigation Incorporated: According to the United States Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS) Web Soil Survey, the project site is located on the Altamont – Fontana Complex Soil Series which typically consists of a soil profile of clays and silty clay loam with residuum weathered from sandstone and shale as the parent material.

Landslides: As previously discussed above, the proposed project is on relatively steep terrain with an approximate 45-foot elevation gain. The CGS delineates a Landslide Zone of Required Investigation in direct proximity to the project site and the General Plan Health and Safety Element identifies the project area as previously experiencing landslide activity. Furthermore, the Altamont and Fontana Soil Series have properties that can generate medium to very rapid runoff that could result in a higher susceptibility to landslides. As such, although no landslides have been recorded on the project site, the proposed project could be located on unstable soils that could result in landslides. As discussed in Impact 7((a) above, Appendix D includes design recommendations to reduce impacts pertaining to weak soil conditions that could induce landslides. These recommendations include conducting deeper foundation excavations if loose or soft soil is encountered and the utilization of contact grouting around the exterior of the pipes to ensure that the newly installed pipes are properly supported and embedded in appropriate material. Implementation of MM GEO-1 would ensure that the applicable recommendations are incorporated into development of the proposed project. Since design recommendations from the geotechnical report would be incorporated into the proposed project to prevent project generated landslides via MM GEO-1, the proposed project would not result in any on- or off-site landslides.

Therefore, impacts on project-induced landslides would be less than significant with mitigation incorporated.

Liquefaction: Soils susceptible to liquefaction are loosely consolidated sandy soils with a shallow groundwater table. The CGS delineates the project site within a Liquefaction Zone of Required Investigation indicating a shallow water table in recently deposited sands and silts that are likely associated with the intermittent drainage beneath San Pablo Dam Road. As such, the proposed project could be located beneath soils susceptible to liquefaction. Appendix D contains recommendations to address seismic-related ground failure, such as conducting deeper foundation excavations if loose or soft soil is encountered. Grouting would also assist in stabilizing compromised soils between the culvert system and roadway surface. Implementation of MM GEO-1 would ensure that the applicable recommendations are incorporated into development of the proposed project to minimize potential hazards. Therefore, the proposed project would have a less than significant impact on project-induced liquefaction with mitigation incorporated.

Lateral Spreading: Lateral spreading is a phenomenon generated from liquefaction that occurs on nearly horizontal slopes with a soil profile comprised of coherent materials overlaying saturated and loose sediments. The project site is delineated within a Liquefaction Zone of Required Investigation by the CGS and is situated on steep terrain where some slopes may be nearly horizontal. As such, the project site may be in an area susceptible to lateral spreading. However, as previously described above, Appendix D contains recommendations to reduce impacts related to soil conditions. Appendix D recommends utilization of compaction grouting to assist in stabilizing compromised soils between the culvert system and roadway surface, along with contact grouting around the exterior of the pipes to ensure that the newly installed pipes are properly supported and embedded in appropriate material. Implementation of MM GEO-1 would ensure that the applicable recommendations are incorporated into development of the proposed project to minimize potential of project-induced lateral spreading. Therefore, the proposed project would not result in the instability of soils resulting in lateral spreading and impacts would be less than significant with mitigation incorporated.

Subsidence: Subsidence is the gradual and widespread sinking of the surface that can occur naturally through underlying soil conditions, or from the overexploitation of resources such as groundwater resulting in the compaction of sediments. Soils highly susceptible to natural subsidence are clays and silts, due to their shrink and swell potential. As such, the project site could be located on unstable soils susceptible to subsidence, or could generate subsidence from additional loading. Appendix D includes design recommendations to reduce impacts pertaining to underlying soil conditions that could contribute to subsidence. These recommendations include conducting deeper foundation excavations if loose or soft soil is encountered and the use of grouting to assist in stabilizing compromised soils between the culvert system and roadway surface. Implementation of MM GEO-1 would ensure that the applicable recommendations are incorporated into development of the proposed project. Since the proposed project would incorporate MM GEO-1, the proposed project would not result in project-induced subsidence. Therefore, the proposed project would have a less than significant impact related to project-induced subsidence.

Collapse: Collapsible soils are soils having a structure with sand and silt sized particles held together by clay with high void ratios that reduce in volume from wetting or additional loading. Naturally occurring collapsible soil typically occurs in loosely unconsolidated materials either at the surface or at considerable depths and can be further exacerbated from additional sources of

wetting including alterations in stormwater runoff. However, the proposed project would improve stormwater infrastructure on the project site and would be designed in compliance with design recommendations of a project-specific geotechnical report. Since the proposed project would prepare a geotechnical investigation and report that would address soil stability and provide design recommendations to prevent collapse, the proposed project would not result in project-induced collapse. Therefore, the proposed project would have a less than significant impact related to project-induced collapse.

d) Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

Less Than Significant Impact: Expansive soils are high plasticity clays or silty clays that experience significant volume changes with the removal or addition of moisture. As such, soils on the project site may have expansive capabilities. However, the proposed project does not involve the construction of any structures. Rather, it requires the repair of an existing culvert system and a segment of San Pablo Dam Road in a manner that would improve functioning of stormwater infrastructure and increase roadway safety along San Pablo Dam Road. As such, the proposed project would not create any direct or indirect risk to life or property generated from expansive soils, and the proposed project would have a less than significant impact pertaining to expansive soils.

e) Would the project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

No Impact: The proposed project would involve the replacement and repair of an existing culvert system and a segment of San Pablo Dam Road. No structures are proposed that would require the installation of a septic tank or alternative wastewater disposal system. As such, there would be no impact on septic tanks or alternative wastewater disposal systems.

f) Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Less Than Significant Impact With Mitigation Incorporated: Fossils are nonrenewable paleontological resources that consist of large or small identifiable vertebrate, or invertebrate, plant, or trace fossils that provide critical information for a range of scientific disciplines and require protection from impacts generated from development projects as mandated by federal, State, and local rules and regulations. Areas that have high paleontological potential for uncovering significant paleontological resources have a stratigraphy comprised of sedimentary formations temporally or lithologically suitable for the preservation of fossils such as fine-grained fluvial and marine sandstones and argillaceous paleosols, while areas of low potential have rock units comprised of basalt flows and colluvium. Furthermore, paleontological resources are usually found in areas consisting of a geomorphology of lower elevated areas where deposition historically occurred such as alluvium deposits associated with floodplains and basins.

Geologic mapping identifies the project site to be situated on the Orinda Formation that has previously yielded many plants and vertebrate fossils. A record search using the University of California Museum of Paleontology (UCMP) Locality Search Online Database was conducted to identify any potential fossil localities on or in proximity to the project site. Although the UCMP Locality Search Online Database does not provide the absolute location for its fossil localities,

each locality has a locality name that may provide the relative location of the fossil locality that can be used to determine its distance from the project site. A search for fossil localities in Contra Costa County within the Orinda Formation yielded 23 vertebrates including those from the Caldecott Tunnel, 14 invertebrates, and five microfossils. Locality names included San Pablo Ridge, San Pablo Creek Valley, and Wildcat Canyon.

Overall, the project site is situated on the Orinda Formation which consists of sedimentary deposits that previously underwent deposition and has yielded many fossil localities. As such, any excavation or ground disturbance at greater depths has the potential for uncovering significant paleontological resources. Therefore, construction activities from the proposed project would incorporate MM GEO-2, which requires a temporary halt in all ground-disturbing activities if potential paleontological materials are discovered. With the implementation of MM GEO-2, the proposed project would not directly or indirectly destroy a unique paleontological resource, and impacts would be less than significant.

Potential Impact:

Ground disturbance during the project's construction phase has the potential for disturbing previously unknown unique paleontological resources. In addition to the mitigation measures for Cultural Resources, the following mitigation measures will ensure that in the event unique paleontological resources are discovered, the proper actions are taken to reduce the adverse environmental impacts to unique paleontological resources to a less than significant level.

MM GEO-2 **Paleontological Resource Discovery:** Should unique paleontological materials be uncovered during grading, trenching, or other on-site excavation(s), the County shall be immediately notified, and all earthwork within 100 feet of the materials shall be stopped immediately until a qualified Paleontologist is contacted and retained to evaluate the significance of the find. If the find is not significant, work may resume. If the find is potentially significant, the Paleontologist, in coordination with the County, would implement appropriate sampling, salvaging, identification, and reporting procedures consistent with California Public Resources Code 30244.

Sources of Information

California Department of Conservation. California Geological Survey (CGS). EQ Zapp: California Earthquake Hazards Zone Application. Website: https://maps.conservation.ca.gov/cgs/informationwarehouse/eqzapp/. Accessed August 13, 2025.

Contra Costa County. 2045 General Plan. Chapter 9: Health and Safety Element. Website: https://www.contracosta.ca.gov/DocumentCenter/View/84950/Chapter-9---Health-and-Safety-Element-PDF. Accessed August 13, 2025.

Contra Costa Municipal Code. Ordinance Code Division 1010—Drainage. Website: https://library.municode.com/ca/contra_costa_county/codes/ordinance_code?nodeId=TIT10PUWOFLCO_DIV1010DR_CH1010-10NUAB_1010-10.202AB. Accessed August 13, 2025.

Darwin Meyers Associates. 2020. Geologic Peer Review–30 Day Comments. June.

United States Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS). Web Soil Survey. Website: https://websoilsurvey.nrcs.usda.gov/app/HomePage.htm. Accessed August 13, 2025.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
8. *GREENHOUSE GAS EMISSIONS–Would the project:*				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

SUMMARY:

a) Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Less Than Significant Impact. GHG emissions would occur during construction activities associated with implementation of the proposed project. GHG emissions would also come from the use of trucks transporting equipment and material to/from the site, and from the motor vehicles of the construction workers. GHG emissions were estimated using CalEEMod; detailed assumptions and outputs are available in Appendix A. Construction-related GHG emissions associated with the proposed project were estimated as 132 tons in total. The analysis assumes that construction would begin in 2026 and last approximately 115 working days. As vehicle and equipment fuel efficiencies and emission control standards continue to incrementally improve each year, construction emissions would be likely to decrease nominally and therefore, the GHG emissions estimated from construction of the proposed project represent a conservative assessment should the construction schedule move to later years.

The Bay Area Air District's 2022 CEQA Guidelines do not propose a construction-related climate impact threshold. However, the California Governor's Office of Land Use and Climate Innovation (LCI) supports the use of qualitative thresholds based on consistency with applicable regulations, plans, policies, and regulatory programs as a valid approach for evaluating GHG impacts under CEQA. This includes assessing whether a project aligns with State climate goals, local Climate Action Plans, standard conditions or ordinances, and other adopted frameworks for GHG reduction. When a project demonstrates such consistency, it provides substantial evidence that its incremental contribution to climate change is not cumulatively considerable and is therefore less than significant. Once the proposed project is complete, there will be no operational GHG emissions. The proposed project components include site preparation, demolition, grading trenchless culvert installation, grouting, concrete work, and roadway rehabilitation. Once this work is complete, the proposed project would not have any associated GHG emissions. Thus, in comparing against Bay Area Air District's operational-related thresholds of significance for GHGs, there will be no natural gas use, no inefficient energy use and no Vehicle Miles Traveled (VMT) generated. There would be no parking, and therefore the electric vehicle (EV) infrastructure component of the GHG thresholds is not applicable.

Therefore, impacts would be less than significant.

b) Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Less Than Significant Impact. The proposed project is located in Contra Costa County. The analysis considers whether the proposed project would conflict with or obstruct the CAAP adopted in 2024 and the 2022 ARB Scoping Plan.

Contra Costa County Climate Action and Adaptation Plan

The CAAP establishes a framework to reduce GHG emissions 40 percent below 1990 levels by 2030 and prepare for climate-related hazards. Overall, the proposed project aligns with the CAAP's initiatives, particularly those focused on infrastructure resilience and low-emission construction practices. Relevant initiatives include mitigating air quality impacts and minimizing vegetation loss and requiring revegetation with native species (NI-4 Actions). In addition, CAAP initiatives include working with contractors, fleet operations, logistics companies and other operators of heavy-duty vehicles to accelerate to zero-emission heavy-duty vehicles (TR-2 Actions). Overall, the proposed project's trenchless methods, revegetation plan, and storm-resilient culvert design support the County's climate adaptation priorities.

Furthermore, the CAAP focuses on reducing long-term operational emissions from land use, energy, and transportation. The proposed project would not result in new operational-related vehicle trips or buildings, would improve transportation infrastructure resilience, and would incorporate erosion control and revegetation methods. Therefore, the proposed project is consistent with the County's CAAP.

2022 Scoping Plan

The proposed project is consistent with the 2022 Scoping Plan, which outlines the State's strategy to reduce GHG emissions 85 percent below 1990 levels by 2045 and achieve net-zero emissions economy-wide by 2045. Specifically, the proposed project aligns with the 2022 Scoping Plan's emphasis on resilient infrastructure and climate adaptation, as identified in Chapter 4 (Carbon Neutrality) and Chapter 8 (Natural and Working Lands). By upgrading critical storm-damaged culverts and stabilizing the roadway to withstand future extreme weather events, the proposed project supports the 2022 Scoping Plan's goals of investing in climate-resilient infrastructure and reducing vulnerability to climate impacts (Climate Resilience). Use of trenchless construction methods are consistent with the 2022 Scoping Plan's support for low-emission construction practices.

Therefore, impacts related to conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases would be less than significant.

Sources of Information

CalEEMod Output Report, Appendix A.

California Air Resources Board (ARB) and the California Governor's Office of Land Use and Climate Innovation (LCI). 2023. CEQA 202 Series: Greenhouse Gas Emissions. Website: https://lci.ca.gov/ceqa/docs/20230517- CEQA_202_GHGAnalysis_Slides.pdf. Accessed August 12, 2025.

Contra Costa County. 2024. Climate Action and Adaptation Plan 2024 Update. November. Website: https://www.contracosta.ca.gov/DocumentCenter/View/84967/Contra-Costa-County-2024-Climate-Action-and-Adaptation-Plan-PDF?bidId=. Accessed August 12, 2025.

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Bay Area Air Quality Management District (Bay Area Air District). 2022. 2022 CEQA Air Quality Guidelines. April. Website: https://www.baaqmd.gov/plans-and-climate/california-environmental-quality-act-ceqa/updated-ceqa-guidelines. Accessed October 1, 2025.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
9. *HAZARDS AND HAZARDOUS MATERIALS–Would the project:*				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment?	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☐	☒
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☒	☐	☐

SUMMARY:

a) Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Less Than Significant Impact:

During construction, construction vehicles will travel to and from the project site. Examples of construction vehicles include, but are not limited to: excavators, graders, scrapers, loaders, sweepers/scrubbers, plate compactors, vibratory compactors, rollers, backhoes, cranes, drill rigs, concrete pump trucks, generators, water trucks, storage/sedimentation tanks, and pavers. Portable construction trailers (portable office structure), pneumonic hammer, and a jack and bore machine would also be placed at each site. Dewatering equipment would be used, including, but not limited to: coffer dams, pumps, and bypass lines. This equipment may require the use of fuels and other common liquids that have hazardous properties (e.g., fuels, oils, fluids that are flammable) but they would be handled in small quantities that would not create a substantial hazard for construction workers and/or the public. Furthermore, the transportation, use, and disposal of

hazardous materials would be subject to federal and State regulations such as the Hazardous Materials Transportation Act, the California Health and Safety Code, and California Code of Regulations Title 8, which establish regulations on identifying, packaging, and labeling hazardous materials and waste, hazardous material safety training and supervision, and permit requirements for the transportation and disposal of hazardous waste.

Operation of the proposed project would require routine maintenance, similar to existing infrastructure throughout the County. The proposed project would not require routine transportation, use, or disposal of hazardous materials. Compliance with federal, State, and local hazardous materials regulations would minimize the risk to the public presented by these potential hazards during construction of the Project. Therefore, the proposed project would have a less than significant impact.

b) *Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?*

Less Than Significant Impact: As discussed above, construction of the proposed project would involve the temporary use of hazardous materials. Although there are numerous ways an accident can occur that could release hazardous materials into the environment, those that are reasonably foreseeable due to the nature of the proposed project would involve vehicles transporting hazardous materials and waste to and from the project site, where collisions could release hazardous materials or waste into the surrounding environment, or accidental exposure of construction workers through the misuse of hazardous materials on the project site.

However, use of construction-related hazardous materials would occur in compliance with established federal and State regulations, including the Hazardous Materials Transportation Act, Health and Safety Code, and California Code of Regulations Title 8. Specifically, California Code of Regulations Title 8 provides regulations on the identification, packaging, and labeling of hazardous materials and waste, employee safety training, and establishes procedures for identifying and evaluating workplace hazards such as conducting frequent inspections to ensure corrective action is taken. Therefore, following compliance with established regulations and policies, the proposed project would have a less than significant impact regarding release of hazardous materials into the environment.

c) *Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?*

No Impact: There are no schools located within 0.25 mile of the project site. The nearest school is the Wagner Ranch Elementary School located approximately 1.6 miles southeast of the project site. Additionally, no proposed schools are located within a quarter mile of the project site, as it is surrounded by undeveloped lands managed by the EBMUD for recreational and watershed management purposes. Since no existing or proposed schools are located within a quarter mile of the project site, the proposed project would not emit or handle hazardous materials or substances within a school and no impact would occur.

d) Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

No Impact: The Cortese List is managed by the California Department of Toxic Substances Control (DTSC) and the California State Water Resources Control Board (State Water Board). The DTSC provides a list of hazardous waste facilities and sites subject to corrective action, while the State Water Board compiles a list of sites with Leaking Underground Storage Tanks (LUSTs), solid waste disposal sites with waste discharges outside their management unit, and sites with active cease and desist and cleanup and abatement orders. According to the Cortese List, the project site is not located on any hazardous materials sites from the types of sites listed above. Therefore, the proposed project would have no impact pertaining to hazardous materials sites.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?

No Impact: The project site is not located within 2 miles of a public airport or within the boundaries of an airport land use plan. The closest public airport is the Buchanan Field Airport located approximately 10.6 miles east of the project site. Therefore, the proposed project would not present any safety or noise hazards for people working in the project area and no impact would occur.

f) Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Less Than Significant Impact: The Contra Costa County 2024 Hazard Mitigation Plan is the applicable emergency response and evacuation plan for the County. The 2024 Hazard Mitigation Plan is compiled into the General Plan Health and Safety Element which identifies emergency response strategies and evacuation routes depending on the type and extent of the disaster. The General Plan Health and Safety Element distinguishes San Pablo Dam Road as a potential evacuation route. In addition, the proposed project is located within the Moraga-Orinda Fire Protection District, which strives to maintain an emergency response time of 6 minutes 90 percent of the time.

A traffic control plan would be prepared and approved prior to construction, which would ensure emergency vehicles would have access at all times. Roadwork phasing would ensure that one lane is open at all times.

Following construction, all obstructions would be removed to ensure the roadway is restored for safe and efficient travel. Since the proposed project would maintain access to emergency vehicles at all times; would maintain fire apparatus access road requirements; and the Moraga-Orinda Fire Protection District would be able to serve the project site within its established response time threshold in the event of an emergency, the proposed project would not impair or physically interfere with an emergency response or evacuation plan. Therefore, the proposed project would have a less than significant impact related to impairing or interfering with an emergency response or evacuation plan.

g) Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

Less Than Significant Impact With Mitigation Incorporated: The California Department of Forestry and Fire Protection (CAL FIRE) designates State Responsibility Areas (SRAs) and Local Responsibility Areas (LRAs) into Moderate, High, or Very High Fire Hazard Severity Zones (FHSZs). The project site is located within a Very High FHSZ within a SRA. Although the proposed project would not develop any structures or affect residences or gathering places that could potentially be exposed to wildland fires, construction of the proposed project could expose construction workers to an area highly susceptible to wildland fires. As such, the proposed project would incorporate MM HAZ-1 to reduce potential fire risk for construction workers, in turn mitigating potential for wildfire spread to surrounding areas. Lastly, Moraga-Orinda Fire Protection District Station 45 would be able to provide services to the project site within its established 6-minute response threshold for emergency situations. Since the proposed project would incorporate MM HAZ-1 and would be adequately served by the Moraga-Orinda Fire Protection District, impacts related to wildland fire exposure would be less than significant impact with mitigation incorporated.

Potential Impact:

The project site is located within a Very High FHSZ and construction of the proposed project could expose construction workers to an area highly susceptible to wildland fires. The following mitigation measure will ensure that risks related to wildland fires are reduced to a less than significant level.

MM HAZ-1 **Wildfire Safety Procedures:** During project construction, staging and equipment/vehicle parking areas shall be cleared of dead vegetation that could serve as fuel for combustion. The clearing shall include vegetation trimming within a few inches of the ground. No grading shall take place as part of the vegetation clearing. Additionally, fire extinguishers will be kept on-site. If work is to be performed during the dry season, workers shall be informed of wildland fire risk and measures to prevent it via brochures and worker awareness training.

Sources of Information

California Building Standards Commission. 2025 California Fire Code, California Code of Regulations, Title 24, Part 9. Website: https://codes.iccsafe.org/content/CAFC2025P1. Accessed November 7, 2025.

California Department of Toxic Substances Control (DTSC). Hazardous Waste and Substances Site List (Cortese). Website: https://dtsc.ca.gov/dtscs-cortese-list/. Accessed August 15, 2025.

California State Geoportal. California Fire Hazard Severity Zone Viewer. Website: https://gis.data.ca.gov/datasets/789d5286736248f69c4515c04f58f414. Accessed August 15, 2025.

Contra Costa County. 2045 General Plan. Chapter 9: "Health and Safety Element. Website: https://www.contracosta.ca.gov/DocumentCenter/View/84950/Chapter-9---Health-and-Safety-Element-PDF. Accessed November 7, 2025.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
10. *HYDROLOGY AND WATER QUALITY–Would the project:*				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	☐	☐	☒	☐
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☐	☒
c) Substantially alter the existing drainage pattern of area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	☐	☐	☒	☐
i) Result in substantial erosion or siltation on- or off-site?	☐	☐	☒	☐
ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	☐	☐	☒	☐
iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☒	☐
iv) Impede or redirect flood flows?	☐	☐	☒	☐
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☐	☒
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☒	☐

SUMMARY:

a) Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?

Less Than Significant Impact: The project site is located within the San Pablo Hydraulic Planning Area, where surface waters in the watershed are diverted into the San Pablo Reservoir prior to being transferred northbound into the San Pablo Creek and conveyed into the San Pablo Bay. As previously discussed, the proposed project would implement construction activities such as demolition and excavation, and would utilize construction appliances such as diesel fuels, aggregates, concretes, and metals for the repair of an existing culvert system located in an intermittent drainage that directs water to the San Pablo Reservoir. As such, the proposed project would introduce dredged or fill material into the intermittent drainage and could discharge toxic pollutants into the San Pablo Reservoir resulting in potentially violating water quality standards. However, the proposed project would be subject to the CWA and would be required to request a Section 401 Certification from the San Francisco Bay San Francisco Bay RWQCB, who would evaluate whether the proposed project would be consistent with regional water quality objectives,

and obtain either an individual or general permit under Section 404 of the CWA through review by the USACE, where the applicant would demonstrate measures taken to minimize any discharges into streams or other surrounding water bodies. The proposed project is exempt from provision C.3 of the Municipal Regional Stormwater NPDES permit (MRP), because it is a road project that does not create any additional traffic lanes and creates less than 10,000 square feet of new impervious surface.

While the proposed project disturbs less than 1 acre of soil and no SWPPP is required under the 2022 NPDES Construction Stormwater Construction General Permit, a Water Pollution Control Plan for compliance with County standards would be prepared prior to construction including stormwater pollution prevention measures for construction projects less than 1 acre in size with implementation of good housekeeping BMPs to manage non-stormwater discharges. These BMPs would include, but are not limited to, mulching or hydroseeding, perimeter sediment control, and the installation of temporary sediment basins. Since the proposed project would implement a Water Pollution Control Plan, the proposed project would not substantially degrade surface or groundwater quality. Therefore, the proposed project would have a less than significant impact pertaining to surface and groundwater quality.

b) *Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?*

No Impact: The proposed project would not construct any groundwater wells or introduce any land uses requiring the extraction of groundwater. Furthermore, the proposed project would not introduce any new impervious surfaces that could interfere with groundwater recharge, as the project site largely consists of pervious surfaces including dense vegetated areas and the intermittent drainage, and any stormwater that accumulates on San Pablo Dam Road would be conveyed into the repaired concrete flume, directing water to the intermittent drainage and pervious surfaces. Since the proposed project does not require any groundwater extraction, and would not remove any pervious surfaces, the proposed project would not impede sustainable groundwater management of the basin, and no impact would occur.

c) *Would the project substantially alter the existing drainage pattern of area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:*

- *i) Result in substantial erosion or siltation on- or off-site?*
- *ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site*
- *iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?*
- *iv) Impede or redirect flood flows?*

Less Than Significant Impact (*i-iv*): The proposed project would involve the repair of an existing culvert system beneath San Pablo Dam Road that allows water to convey through an intermittent drainage toward the San Pablo Reservoir. Construction activities would include demolition, excavation, grouting, and the removal of approximately 27 trees that could alter existing drainage patterns of the project area. However, the proposed project would comply with many applicable federal and State regulations, including Section 401 and Section 404 of the CWA.

As noted in Impact 10(a) above, the proposed project would disturb less than 1 acre of soil, and no SWPPP would be required under the 2022 NPDES Construction Stormwater Construction General Permit. However, a Water Pollution Control Plan for compliance with County standards would be prepared prior to construction. Specifically, the proposed project would utilize good housekeeping BMPs for construction projects such mulching or hydroseeding, perimeter sediment control, and the installation of temporary sediment basins. Furthermore, the proposed project would not increase the impervious area or contribute runoff water that would exceed the capacity of the planned drainage system. The proposed project would repair the damaged culvert system through restoring previous hydraulic conditions and would further implement permanent erosion control measures and revegetation of any disturbed areas after construction is completed. Therefore, compliance with federal, State, and local rules and regulations would ensure that alterations would not generate erosion, higher runoff rates, or any on or off-site flooding hazards and impacts would be less than significant.

d) *In flood hazard, tsunami, or seiche zones, would the project risk release of pollutants due to project inundation?*

No Impact: The Federal Emergency Management Agency (FEMA) develops Flood Insurance Rate Maps (FIRMs) which delineate Special Flood Hazard Areas (SFHAs), being the land area covered by the floodwaters of a base flood, having a 1 percent chance of experiencing a flood that could equal or exceed historic levels in any given year. The project site is not delineated within a SFHA; the closest SFHA is approximately 0.1 mile east of the project site. Furthermore, the project site is not located in a tsunami hazard zone, as it is located inland and 390 feet AMSL. Although the project site is in proximity to the San Pablo Dam Reservoir, an enclosed reservoir that could be capable of generating a seiche, the project site is approximately 65 feet higher in elevation than the San Pablo Reservoir and as such, any waves generated from a seiche would not be anticipated to inundate the project site. Since the project site is not located in any flood hazard or tsunami hazard zone, and no waves generated by a seiche would be high enough to impact the project site, the proposed project would not risk the release of pollutants due to project inundation. Therefore, the proposed project would have no impact related to project inundation.

e) *Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?*

Less Than Significant Impact: The San Francisco Bay RWQCB Water Quality Control Plan for the San Francisco Bay Basin (Basin Plan) governs surface and groundwater quality in the region and outlines beneficial uses and water quality objectives to maintain those beneficial uses, including the San Pablo Reservoir. Although the project site is outside a groundwater basin, it drains into the Santa Clara Valley – East Bay Plain Subbasin, making the East Bay Plain Groundwater Sustainability Plan (GSP) the applicable groundwater sustainability plan that defines six undesirable results ranging from groundwater depletion to contamination, to ensure continued sustainability of the groundwater basin.

The proposed project would include demolition, excavation, concrete pouring, and tree removal that could increase surface runoff and discharge pollutants conflicting with the Basin Plan or GSP. However, the proposed project is required to comply with the CWA through obtaining a Section 401 Certification by the RWQCB and a Section 404 permit from the USACE. In addition, the proposed project would adhere to stormwater pollution prevention, under the NPDES

Construction General Permit, for projects disturbing less than one acre of land through implementing good housekeeping BMPs to prevent the discharge of stormwater pollutants.

The proposed project would not involve any groundwater extraction or add new impervious surfaces and would manage disturbed areas through revegetation and hydroseeding that would be similar to pre-project conditions. Therefore, the project would not influence any undesirable results that would conflict with the GSP. Since the proposed project would comply with federal and State regulations, would implement good housekeeping BMPs, and would not involve any uses that could interfere with groundwater levels, the proposed project would not conflict or obstruct implementation of the Basin Plan or East Bay Plain Subbasin GSP. Therefore, the proposed project would have a less than significant impact pertaining to water quality control and sustainable groundwater management plans.

Sources of Information

California Department of Conservation. Contra Costa County Tsunami Inundation Maps. Website: https://www.conservation.ca.gov/cgs/Pages/Tsunami/Maps/ContraCosta.aspx. Accessed August 13, 2025.

Central Calley Regional Water Quality Control Board (Central Valley RWQCB). The Water Quality Control Plan (Basin Plan). Website: https://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/sacsjr_201902.pdf. Accessed August 13, 2025.

United States Department of Homeland Security. Federal Emergency Management Agency (FEMA) Flood Map Service Center (MSC). Website: https://msc.fema.gov/portal/home. Accessed August 13, 2025.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
11. *LAND USE AND PLANNING–Would the project:*				
a) Physically divide an established community?	☐	☐	☐	☒
b) Cause a significant environmental impact due to conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐

SUMMARY:

a) Would the project physically divide an established community?

No Impact: The physical division of an established community would occur if construction of the proposed project would remove or impair any infrastructure that provides connection to an existing community. The proposed project would involve the repair of an existing culvert system and excavation of a segment of San Pablo Dam Road. Although the proposed project could temporarily impede the use of San Pablo Dam Road, no established community is located on or in proximity to the project site, as the surrounding area is undeveloped and managed by EBMUD for recreation and watershed management. As previously discussed in the Project Description, the project site is located in an area with a General Plan Land Use Designation of Resource Conservation (RC) that is intended for resource management and low-intensity agricultural and recreational uses within watersheds, reservoirs, or ecologically sensitive areas and allows for the construction and maintenance of public and semi-public infrastructure such as roads and drainage culverts, including the proposed project. Therefore, the proposed project would have no impact regarding physical division of an established community.

b) Would the project cause a significant environmental impact due to conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

Less Than Significant Impact: As previously discussed, the project site and surrounding area are managed by the EBMUD for recreational and watershed management purposes and is designated by the General Plan as RC and zoned as A-80. Neither the RC Land Use designation nor the A-80 Zoning District allow the establishment of urban land uses. The proposed project would involve the repair of an existing culvert system and segment of San Pablo Dam Road and would not introduce any urban uses or structures that would conflict with existing or surrounding uses described in the RC and A-80 District. Rather, the proposed project would implement permanent erosion control measures and revegetation of native species that is consistent with the RC land use designation. Furthermore, the construction and maintenance of public and semi-public infrastructure such as roads and drainage culverts is consistent with the RC land use designation.

Since the proposed project would not introduce any structures or development inconsistent with the RC Land Use Designation and A-80 Zoning District, and on-site mitigation would occur through hydroseeding and native tree planting, the proposed project would not conflict with any

land use plans, policies, or regulations. Therefore, the proposed project would have a less than significant impact on land use plan, policy, or regulation consistency.

Sources of Information

Contra Costa County. 2045 General Plan. Chapter 4: Land Use Element. Website: https://www.contracosta.ca.gov/DocumentCenter/View/84934/Chapter-4---Land-Use-Element-PDF. Accessed August 13, 2025.

Contra Costa County. 2045 General Plan. Chapter 7: Conservation, Open Space, and Working Lands Element. Website: https://www.contracosta.ca.gov/DocumentCenter/View/84948/Chapter-7--Conservation-Open-Space-and-Working-Lands-Element-PDF. Accessed August 13, 2025.

Contra Costa County Code. Title 8 – Zoning. Website: https://library.municode.com/ca/contra_costa_county/codes/ordinance_code?nodeId=TIT8ZO. Accessed August 13, 2025.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
12. *MINERAL RESOURCES–Would the project:*				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State?	☐	☐	☐	☒
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

SUMMARY:

a) Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State?

No Impact: According to the General Plan, the project site is not located within an area containing known mineral resources that would be of value to the region or residents of the State. As stated above, neither the State Geologist nor the State Mining and Geology Board has classified the project site as containing mineral deposits which are either of Statewide significance or of significance which requires further evaluation. As such, no impact would occur.

b) Would the project result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

No Impact: According to the General Plan, the project site is not within a locally important mineral resource recovery site. As a result, the proposed project would not result in the loss of availability of a locally important mineral recovery site. No impact would occur.

Sources of Information

Contra Costa County. 2045 General Plan. Chapter 7: Conservation, Open Space, and Working Lands Element. Website: https://www.contracosta.ca.gov/DocumentCenter/View/84948/Chapter-7--Conservation-Open-Space-and-Working-Lands-Element-PDF. Accessed August 13, 2025.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
13. ***NOISE–Would the project result in:***				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐
b) Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

SUMMARY:

a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Less Than Significant Impact: A significant impact would occur if construction activities would result in the generation of a substantial temporary increase in ambient noise levels which would result in annoyance or sleep disturbance of nearby sensitive receptors. According to Policy HS-P14.7 of the General Plan Health and Safety Element, construction activities shall be limited to weekdays and non-holidays unless site-specific conditions warrant exceptions and should be commissioned to occur during normal work hours of the day.

While the County does not establish substantial temporary noise level increase thresholds for construction activities, this analysis uses the noise limits established by the Federal Transportation Administration (FTA) to identify the potential for impacts due to substantial temporary construction noise. The FTA identifies construction noise limits in the Transit Noise and Vibration Impact Assessment Manual. During daytime hours, a significant temporary increase would be an increase in excess of the average daily noise levels of 80 A-weighted decibel (dBA) equivalent noise level over an 8-hour time period ($L_{eq(8\text{-hour})}$) as measured at a receiving residential land use and 85 dBA $L_{eq(8\text{-hour})}$ as measured at a receiving commercial land use.

Short-term Construction Impacts

Construction is anticipated to last approximately 115 days. Construction is completed in phases, each of which has its own mix of equipment and, consequently, its own noise characteristics. These various sequential phases would change the character of the noise generated on the site and, therefore, the noise levels surrounding the site as construction progresses. Despite the variety in

the type and size of construction equipment, similarities in the dominant noise sources and patterns of operation allow construction-related noise ranges to be categorized by construction phase.

The site preparation and grading phases, which include excavation and grading of the project site, tend to generate the highest noise levels because the noisiest construction equipment is earthmoving equipment. Earthmoving equipment includes excavating machinery and compacting equipment, such as bulldozers, excavators, backhoes, and front loaders. In addition, the project proposes to replace the two existing 72-inch corrugated metal pipes through pipe ramming with 66-inch steel casing pipes through the existing alignment. A pneumatic pipe ram would deliver percussive blows to the rear of the steel pipe, driving it forward.

Construction of the proposed project is expected to require the use of a variety of equipment, and the loudest piece of equipment would be the pneumatic pipe ram (ram hoe type equipment) which generates maximum reference noise levels of 90 dBA L_{max} at 50 feet. Other heavy construction equipment that could operate on the project site have reference noise levels of up to 85 dBA L_{eq}.

The closest noise-sensitive receptors to the proposed project site are single-family residential homes located east of the project site. The closest noise-sensitive receptor would be located approximately 3,600 feet from the acoustic center of construction activity where multiple pieces of heavy construction equipment would potentially operate at the project site. At this distance and assuming no shielding reduction and simultaneous operation of the five loudest pieces of heavy construction equipment, reasonable worst-case construction noise levels would attenuate to 32 dBA L_{eq} at the façade of the nearest sensitive receptor. The reasonable, worst-case calculated 8-hour noise level would be 31 dBA $L_{eq(8\text{-}hour)}$, as measured at this nearest sensitive receptor. However, these reasonable worst-case construction noise levels would occur only periodically throughout the day as construction equipment operates along the nearest project boundaries. Furthermore, terrain and intervening structures block the line of sight and would eliminate potential noise impacts to this nearest sensitive receptor. The calculation spreadsheet with the detailed modeling assumptions is included in Appendix E.

The proposed project would comply with the County's limitations on construction activities to the hours of the day that are not noise-sensitive for adjacent land uses, to provide relative quiet during the more sensitive evening and early morning periods. Additionally, these calculated, conservative and worst-case construction noise levels would not exceed the FTA's threshold of 80 dBA $L_{eq(8\text{-}hour)}$ as measured at the nearest residential receptors. Therefore, the proposed project's construction activities would not result in noise impacts that could result in annoyance or sleep disturbance of nearby sensitive receptors. Therefore, temporary construction noise impacts would be less than significant.

Operational/Stationary Source Noise Impacts

A significant impact would occur if the project would result in a substantial increase in ambient noise levels compared with those that would exist without the proposed project. The proposed project involves improvements to the existing San Pablo Dam Road and does not include construction of any permanent mobile or stationary noise source. Therefore, the proposed project would not result in a substantial temporary or permanent increase in ambient noise levels from operational sources in the project vicinity and the impact would be less than significant.

b) Would the project result in generation of excessive groundborne vibration or groundborne noise levels?

Less Than Significant Impact: A significant impact would occur if the proposed project would generate groundborne vibration or groundborne noise levels in excess of established standards. The County has not adopted criteria for groundborne vibration impacts. Therefore, for purposes of this analysis, the FTA's vibration impact criteria are utilized. The FTA has established industry accepted standards for vibration impact criteria and impact assessment. These guidelines are published in its Transit Noise and Vibration Impact Assessment Manual.

Of the variety of equipment that would be used during construction, pneumatic pipe ram (ram hoe type equipment) would produce the greatest groundborne vibration levels nearest the project boundaries. Conservatively assuming that vibration levels from the pipe ram operations would be equivalent to typical levels of an impact pile driver, vibration levels could range up to 0.644 inches per second (in/sec) peak particle velocity (PPV).

The nearest off-site structure is located approximately 1,300 feet north from the nearest construction footprint where the heaviest construction equipment would potentially operate. At this distance, groundborne vibration levels would range up to 0.0017 in/sec PPV from operation of the types of equipment that would produce the highest vibration levels. This is well below the FTA's construction vibration damage criteria of 0.2 in/sec PPV for this type of structure, a building of nonengineered timber and masonry construction. As a result, construction of the proposed project would not expose nearby buildings to groundborne vibration levels in excess of their applicable FTA damage criteria and this impact would be less than significant.

Operational Vibration Impacts

Implementation of the proposed project would not include any permanent sources that would expose persons in the project vicinity to groundborne vibration levels that could be perceptible without instruments at any receiving property line. In addition, there are no existing significant permanent sources of groundborne vibration in the project vicinity to which the proposed project would be exposed. Therefore, project operational groundborne vibration level impacts would be less than significant.

c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

No Impact: The project site is not located within two miles of a public airport or private airstrip, nor is it located within an area covered by the County's Airport Land Use Compatibility Plan. The nearest airport facility is the Buchanan Field Airport, approximately 10.6 miles northeast of the project site. Thus, the proposed project would not expose people residing or working in the project area to excessive noise levels from either Buchanan Field Airport or a private airstrip and no impact would occur.

Sources of Information

Contra Costa County. 2045 General Plan. Chapter 9: Health and Safety Element – Section 9-59: Noise. Website: https://www.contracosta.ca.gov/DocumentCenter/View/84950/Chapter-9---Health-and-Safety-Element-PDF. Accessed August 13, 2025.

Federal Transit Administration (FTA). 2018. Transit Noise and Vibration Impact Assessment Manual. September. Website: https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/research-innovation/118131/transit-noise-and-vibration-impact-assessment-manual-fta-report-no-0123_0.pdf. Accessed August 8, 2025.

Noise Supporting Information Appendix E

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
14. *POPULATION AND HOUSING–Would the project:*				
a) Induce substantial unplanned population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?	☐	☐	☐	☒
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

SUMMARY:

a) Would the project induce substantial unplanned population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?

No Impact: The proposed project repair involves two trenchless methods—pipe ramming and jack and bore—to replace the existing culvert system while maintaining hydrologic and hydraulic conditions. Additional work proposed includes repairing the roadway, strengthening the compromised roadway embankment, and concrete work. The project is not of the scope or scale to induce substantial unplanned population growth. On-site employees during the construction phase are expected to come from the surrounding area. No residential uses are proposed that would induce unplanned population growth either directly or indirectly. Therefore, no impact would occur.

b) Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement *housing elsewhere?*

No Impact: The proposed project is not developed with residential uses and is not designated by the General Plan or zoned for residential uses. Therefore, project implementation would not necessitate the construction of replacement housing. No impact would occur.

Sources of Information

Contra Costa County. 2045 General Plan. Chapter 10: Growth Management Element. Website: https://www.contracosta.ca.gov/DocumentCenter/View/84951/Chapter-10---Growth-Management-Element-PDF. Accessed August 13, 2025.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
15. ***PUBLIC SERVICES–Would the project*** *result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:*				
a) Fire Protection?	☐	☐	☒	☐
b) Police Protection?	☐	☐	☐	☒
c) Schools?	☐	☐	☐	☒
d) Parks?	☐	☐	☒	☐
e) Other public facilities?	☐	☐	☐	☒

SUMMARY:

Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

a) *Fire Protection?*

Less Than Significant Impact: The Contra Costa County Fire Protection District (CCCFPD) provides fire protection and emergency medical services to unincorporated areas of Contra Costa County. The CCCFPD serves the Contra Costa County community with 26 fire stations and maintains mutual aid agreements with Kensington Fire Protection District, Moraga-Orinda Fire Protection District, Rodeo-Hercules Fire Protection District, and San Ramon Valley Fire Protection District. The proposed project is limited to repairs of existing storm drainage infrastructure and would not be of the scope or scale to result in increased demand for fire protection services. The proposed project would be required to comply with all applicable codes, ordinances and regulations, including requirements for emergency access during construction. As such, impacts would be less than significant.

b) *Police Protection?*

No Impact: The Contra Costa County Office of the Sheriff provides law enforcement to unincorporated areas of Contra Costa County. The Office of the Sheriff maintains four bureaus: Administration Services, Custody Services, Field Operations, and Support Services. The proposed project would not increase the residential population of the County and would not require police protection at any time. Therefore, no impact would occur.

c) *Schools?*

No Impact: The proposed project does not propose development of new housing. Employees during construction of the project are expected to come from the local area for a temporary duration anticipated to be a maximum of 115 days and would not cause indirect increases in K-12 enrollment. The proposed project would not create a need for new or expanded school facilities. No impact would occur.

d) *Parks?*

Less Than Significant Impact: The proposed project does not propose development of new housing and therefore, would not directly increase the demand for parks. As a proposed repair, the proposed project would not generate visitors nor on-site employees once operational. However, Inspiration Trail connects to San Pablo Dam Road immediately adjacent to the north of the project site. Inspiration Trail provides access to Tilden Regional Park, approximately 4,745 feet southwest of the project site. Construction activities associated with the proposed project would potentially disturb access to the terminus of Inspiration Trail. Proposed project construction would be temporary and would not permanently block access to Inspiration Trail. Moreover, Inspiration Trail would still be accessible via the two connections at Inspiration Point and along Nimtz Way. As a result, the proposed project would not create a need for new or expanded park facilities. No impact would occur.

e) Other public facilities?

No Impact: There are many public facilities within the County, such as multiple library branches, sports facilities, and community centers. The proposed project does not include a residential land use component, and no public facilities are located within a 0.50-mile radius of the project site. As a result, the proposed project would not create a need for new or expanded public facilities. No impact would occur.

Sources of Information

Contra Costa County. 2045 General Plan. Chapter 10: Growth Management Element. Website: https://www.contracosta.ca.gov/DocumentCenter/View/84951/Chapter-10---Growth-Management-Element-PDF. Accessed August 13, 2025.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
16. *RECREATION*				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	☐	☐	☒	☐

SUMMARY:

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

No Impact: The proposed project is in an undeveloped area with no existing neighborhoods. However, the proposed project is proximal to other recreational facilities, including Inspiration Trail and the San Pablo Reservoir. The proposed project would provide maintenance to an existing culvert system and would restore San Pablo Dam Road. As such, the proposed project is not anticipated to increase the use of surrounding recreational facilities. Furthermore, the proposed project does not involve the construction of new residential units and therefore would not generate new residents that could increase the demand for recreational facilities. Therefore, the proposed project would not result in the physical deterioration of recreational facilities, and there would be no impact.

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?

Less Than Significant Impact: The proposed project does not include recreational facilities or involve the construction of new residential units and therefore would not generate new residents that could increase the demand for and use of nearby parks or recreational facilities. However, Inspiration Trail connects to San Pablo Dam Road immediately adjacent to the north of the project site. Construction activities associated with the proposed project would potentially disturb access to the terminus of Inspiration Trail. Proposed project construction would be temporary and would not permanently block access to Inspiration Trail. Moreover, Inspiration Trail would still be accessible via the two connections at Inspiration Point and along Nimtz Way. Therefore, the proposed project is not anticipated to require construction or expansion of Inspiration Trail due to temporary access disturbance. Impacts would be less than significant.

Sources of Information

Contra Costa County. Title 9, Division 920 – Park Dedication. Website: https://library.municode.com/ca/contra_costa_county/codes/ordinance_code?nodeId=TIT9SU_DIV920PADE. Accessed August 14, 2025.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
17. *TRANSPORTATION–Would the project:*				
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	☐	☐	☒	☐
b) Conflict or be inconsistent with CEQA Guidelines Section 15064.3(b)?	☐	☐	☐	☒
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
d) Result in inadequate emergency access?	☐	☐	☒	☐

SUMMARY:

a) Would the project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?

Less Than Significant Impact: The proposed project is located along a portion of San Pablo Dam Road, a two-lane arterial roadway with two Class II bike lanes in each direction. The proposed project would involve the demolition, excavation, and rehabilitation of a segment of San Pablo Dam Road that is primarily used for vehicular and bicycle travel. The proposed project could temporarily obstruct portions of the public right-of-way through the repair of the underground existing culvert system and segment of the roadway that could conflict with a program, plan, ordinance or policy of the circulation system for roadway and bicycle facilities. However, temporary traffic controls would be implemented, and vehicles and bicycles would retain access at all times. In addition, the proposed project would not introduce any new structures or land uses to the project area that would result in a conflict with applicable policies of the circulation system of San Pablo Dam Road. Rather, the proposed project would rehabilitate the segment of San Pablo Dam Road through filling existing voids or dips from the damaged culvert system. Since the construction phase of the proposed project would not introduce any new land uses and would rehabilitate existing infrastructure on and along the roadway, the proposed project would not conflict with a program, plan, ordinance or policy addressing the circulation system. Therefore, the proposed project would have a less than significant impact related to circulation system policy conflicts.

b) Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3(b)?

No Impact: CEQA Guidelines Section 15064.3(b) requires projects to evaluate transportation impacts through analyzing per capita VMT, being the amount and distance of automobile travel attributable to different types of land use projects. Under CEQA Guidelines Section 15064.3(b), the Lead Agency has the authority to choose an appropriate methodology to evaluate a project's VMT. As such, the Contra Costa County Transportation Analysis Guidelines establishes a screening criterion to determine whether a proposed project would be required to prepare a detailed VMT analysis, and any project that meets the screening criteria is presumed to have a

less than significant impact on VMT. The VMT screening criteria includes public utility projects, which the proposed project is categorized under. Since the proposed project is within the VMT screening criteria, the proposed project would not result in any impact on VMT and no impact would occur.

c) Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Less Than Significant Impact: The project site is located along a portion of San Pablo Dam Road, a two-lane, approximately 50-foot-side arterial roadway that connects major highways such as SR-24 in Orinda, California to the south and I-80 in San Pablo, California to the northwest. As previously discussed, the proposed project would involve the repair of an existing culvert system and excavation of a segment of San Pablo Dam Road. As such, interference with the public right-of-way could temporarily introduce roadway hazards for vehicular traffic. The proposed project would install temporary measures to protect the traveling public such as warning signs and notices related to changes to direction, speed limit, lights, barriers, or patrols. In addition, the proposed project would rehabilitate the roadway through filling any voids or dips generated from the damaged culvert system. Since the proposed project would install temporary protective measures and would rehabilitate the segment of San Pablo Dam Road, the proposed project would not substantially increase roadway hazards. Therefore, the proposed project would have a less than significant impact on roadway hazards.

d) Would the project result in inadequate emergency access?

Less Than Significant Impact: The proposed project would implement construction activities along the public right-of-way. The proposed project would allow access to emergency vehicles at all times during construction. Since the proposed project would abide by the 2022 California Fire Code through providing fire department vehicle access routes during construction and would not introduce any permanent emergency access routes during operation, the proposed project would not result in inadequate emergency access. Therefore, the proposed project would have a less than significant impact on emergency access.

Sources of Information

California Governor's Office of Land Use and Climate Innovation (LCI) (formerly California Governor's Office of Planning and Research [OPR]). 2018. Technical Advisory on Evaluating Transportation Impacts in CEQA. December. Website: http://opr.ca.gov/docs/20190122-743_Technical_Advisory.pdf. Accessed August 13, 2025.

Contra Costa County Conservation and Development Department and Public Works Department. 2020. Transportation Analysis Guidelines. June. Website: https://www.contracosta.ca.gov/DocumentCenter/View/69374/FINAL-CCC-Transportation-Analysis-Guidelines-v2-12-15-20?bidId=. Accessed August 13, 2025

Contra Costa County. 2045 General Plan. Chapter 5: Transportation Element. Website: https://www.contracosta.ca.gov/DocumentCenter/View/84945/Chapter-5---Transportation-Element-PDF. Accessed August 13, 2025.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
18. ***TRIBAL CULTURAL RESOURCES–Would the project*** *cause a substantial adverse change in the significance of a Tribal Cultural Resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American Tribe, and that is:*				
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?	☐	☒	☐	☐
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1?	☐	☒	☐	☐

SUMMARY:

Would the project cause a substantial adverse change in the significance of a Tribal Cultural Resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American Tribe, and that is:

a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?

Less Than Significant with Mitigation Incorporated: A review of the CRHR, local registers of historic resources, a records search conducted at the NWIC, and a pedestrian survey failed to identify any listed TCRs that may be adversely affected by the proposed project. However, on July 15, 2025, the Native American Heritage Commission (NAHC) Sacred Lands File records search produced positive results for TCRs within the project boundaries. Letters requesting additional information regarding the proposed project were sent on August 11, 2025, to Tribal representatives from the list provided by the NAHC. On August 12, 2025, a reply from the Muwekma Ohlone Tribe of the San Francisco Bay Area was received, indicating that they were available to consult with the Lead Agency. A reply from the Amah Mutsun Tribal Ban was received, indicating that the proposed project is outside of their Tribal territory. On August 14, 2025, Indian Canyon Mutsun Band of Costanoan indicated that the Tribe is interested in consulting with Lead Agency and suggested monitoring during ground disturbance. Please note that this process is for information gathering purposes in order to support the conclusions made within the Cultural Resources and Tribal Cultural Resources sections and does not constitute an Assembly Bill (AB) 52 Lead Agency consultation process.

Nevertheless, no eligible or potentially eligible TCRs will adversely be affected by the proposed project. Should any undiscovered TCRs be encountered during project construction, implementation of MM CUL-1 and MM CUL-2, provided above, would reduce potential impacts to a less than significant level.

b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1?

Tribal cultural resources are: (1) sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American Tribe that are listed, or determined to be eligible for listing in the CRHR, or local register of historical resources, as defined in Public Resources Code Section 5020.1(k); or, (2) a resource determined by the lead CEQA agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in Public Resources Code Section 5024.1(c). For a cultural landscape to be considered a TCR, it must be geographically defined in terms of the size and scope of the landscape (PRC § 21074(b)). Also, a historical resource, as defined in Public Resources Code Section 21084.1, unique archaeological resource, as defined in Public Resources Code Section 21083.2(g), or non-unique archaeological resource, as defined in Public Resources Code Section 21083.2(h), may also be a TCR. AB 52 formally added the category of "Tribal Cultural Resources" to CEQA and extends the consultation and confidentiality requirements to all projects, rather than just projects subject to Senate Bill (SB) 18.

The CVLN and the Wilton Rancheria Tribe have submitted a general request letter to be notified of projects within Contra Costa County under AB 52. On June 5, 2025, an offer to consult was sent to the AB 52 contact designated in the general request letters. The record of correspondence (all via email) and meeting dates are described below. On June 9, 2025, CVLN requested records search results and cultural resources information. One consultation meeting occurred between the County and CVLN on August 20, 2025. At the meeting, the likelihood of buried resources and avoidance, mitigation, and monitoring measures were discussed. On August 20, 2025, the mitigation measures agreed upon are as written in Impact 5(b). Therefore, implementation of MM CUL-1 and MMCUL-2 would reduce impacts to less than significant.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
19. *UTILITIES AND SERVICE SYSTEMS–Would the project:*				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment, or stormwater drainage, electric power, natural gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☒	☐
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	☐	☐	☒	☐
c) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☒
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☒	☐
e) Comply with federal, State, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☒	☐

SUMMARY:

a) Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment, or stormwater drainage, electric power, natural gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental effects?

Less Than Significant Impact: The proposed project would include repair using two trenchless methods—pipe ramming and jack and bore—to replace the culvert system while maintaining existing hydrologic and hydraulic conditions. Additional work includes repairing the roadway, strengthening the compromised roadway embankment, and concrete work. The proposed use is consistent with the 2045 General Plan land use designation and zoning for the site. The General Plan EIR concluded that with the implementation of existing regulations and adopted 2045 General Plan policies and actions, any physical impacts resulting from construction of utilities and service systems to serve increased demands at buildout of the 2045 General Plan would be less than significant.

The proposed project would not require the construction of new or expanded water lines, the construction of new or expanded water supply facilities sewer lines, or wastewater treatment facilities. For these reasons, the proposed project would have a less than significant environmental effect on existing wastewater treatment facilities.

No other relocations or expansions to existing utilities are required to serve the proposed development. For all of the above reasons, the project impact would be less than significant.

b) Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?

Less Than Significant Impact: EBMUD supplies water service to the project site. During construction, water would be required primarily for dust suppression and would also be used for soil compaction. Construction water volumes would be minimal and would not require new or expanded water supplies or entitlements. Furthermore, the proposed project is not considered a "Water Demand Project" under CEQA Guidelines Section 15155 and does not require a project-level Water Supply Assessment.

The proposed project would not increase water demand relative to existing conditions and would remain consistent with what is anticipated in the 2045 General Plan. The jack and bore aspect of the project serves to help restore the hydraulic capacity. The existing entitlements for water supplies are sufficient to continue to meet the needs of the County during normal, dry, and multiple dry years. The proposed project would require nominal use of water resources for ongoing maintenance. Therefore, impacts due to insufficient water supplies or inadequate entitlements would be less than significant.

c) Would the project result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

No Impact: EBMUD is one of the service providers that maintains and operates a wastewater collection and treatment system within the County. The project site is located within EBMUD's service territory. Given that the proposed project is exclusive to infrastructure repair, the proposed project would not include the construction of wastewater facilities and would not generate a demand for wastewater treatment. Therefore, the project would not result in a determination of inadequate wastewater capacity. No impact would occur.

d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

Less Than Significant Impact: Construction of the proposed project would involve the generation of construction debris from demolition and the removal of the existing inlet and outlet headwalls. When acquiring building, utility, and site permits from the City, the proposed project would be required to comply with the County's Construction and Demolition Debris Recovery Program, which ensures that at least 65 percent of the construction debris must be recycled.

After construction, the proposed project would not produce any solid waste and therefore would not cause the County to exceed the capacity of existing landfills that the serve the County. Therefore, implementation of the proposed project would have a less than significant impact on the solid waste disposal capacity. In addition, the proposed project would not impede the ability of the County to meet waste diversion requirements or violate other applicable federal, State, and local statutes and regulations related to solid waste. Impacts would be less than significant.

e) Would the project comply with federal, State, and local management and reduction statutes and regulations related to solid waste?

Less Than Significant Impact: The proposed project would generate additional solid waste as compared to existing conditions only during construction. The proposed development would be required to comply with applicable federal, State, and local regulations related to solid waste such as SB 1383 and the Contra Costa Solid Waste Authority Ordinance (Ord. No. 09-08, § 3, 10-6-09). Therefore, a portion of solid waste would be diverted from landfill through recycling, composting, and other methods in compliance with federal, State, and local management and reduction statutes. Therefore, the proposed project would not violate applicable federal, State, and local statutes and regulations related to solid waste, and impacts would be less than significant.

Sources of Information

Contra Costa County. 2045 General Plan. Chapter 4: Land Use Element. Website: https://www.contracosta.ca.gov/DocumentCenter/View/84934/Chapter-4---Land-Use-Element-PDF. Accessed August 13, 2025.

Contra Costa County. 2045 General Plan. Chapter 7: Conservation, Open Space, and Working Lands Element. Website: https://www.contracosta.ca.gov/DocumentCenter/View/84948/Chapter-7--Conservation-Open-Space-and-Working-Lands-Element-PDF. Accessed August 13, 2025.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
20. *WILDFIRE–**If located in or near State Responsibility Areas or lands classified as Very High Fire Hazard Severity Zones,* ***would the project:***				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby, expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☒	☐	☐
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☒	☐
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☒	☐

SUMMARY*:*

If located in or near State Responsibility Areas or lands classified as Very High Fire Hazard Severity Zones, would the project:

a) Substantially impair an adopted emergency response plan or emergency evacuation plan?

Less Than Significant Impact: The General Plan Health and Safety Element designates San Pablo Dam Road as an evacuation route that is within a Very High FHSZ, as delineated by CAL FIRE. Although established evacuation routes would be chosen based on the location and extent of a wildfire, the proposed project would implement construction activities such as demolition and excavation to repair an existing culvert system and a segment of San Pablo Dam Road within the public right-of-way that could interfere with emergency response time and evacuation strategies.

The proposed project would comply with the 2022 California Fire Code which mandates fire access requirements during construction by maintaining a road width of over 20 feet without obstruction and would reconstruct the segment of San Pablo Dam Road to follow width, weight load, and grading fire apparatus access road requirements. Additionally, the proposed project would allow access to emergency vehicles at all times. Therefore, the proposed project would not impair or interfere with an emergency response or evacuation plan and would have a less than significant impact.

b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby, expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

Less Than Significant Impact With Mitigation Incorporated: The project site contains dense stands of oak woodland east of San Pablo Dam Road. Elevations range from approximately 390 feet to 345 feet AMSL across the project site. The project site is located in a Very High FHSZ which is established based on analyzing wildfire hazards such as climate, terrain, and natural vegetation that influence wildfire behavior. As such, the project site has geographical factors that could expose construction workers to direct and indirect wildfire hazards during construction. As noted in the threshold above, the proposed project would allow access to emergency vehicles at all times, including during the event of a wildfire.

Moreover, the use of heavy equipment during construction of the proposed project would have the potential to lead to sparks that could trigger wildland fires. Wildfire prevention MMHAZ-1 would be implemented to reduce the risk of wildland fires. As such, the proposed project would not exacerbate wildfire risk and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. In addition, California Code of Regulations Title 8, Section 5141.1 establishes procedures for monitoring particulate matter ($PM_{2.5}$) for construction sites during a wildfire. Lastly, the proposed project does not involve the construction of any structures intended for occupancy that could expose individuals to wildfire hazards. Therefore, the proposed project would have a less than significant impact with mitigation.

c) *Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?*

Less Than Significant Impact: As previously discussed, the project site is located in a Very High FHSZ delineated by CAL FIRE with wildfire hazards consisting of natural vegetation, steep topography, and periods of high wind speeds.

Compliance with the 2022 California Fire Code, including fire safety standards for construction projects, would ensure any temporary infrastructure such as power lines, emergency water sources, and other utilities are maintained and located in areas to prevent ignition or environmental impacts. The proposed project would not require the installation of any fuel breaks, and the completed project would be constructed with materials such as corrugated metal, concrete, grout material, and asphalt that are incapable of igniting or spreading a wildfire, along with replanting vegetation that would consist of native species and less fuel loads compared to existing conditions.

As such, the proposed project would not exacerbate wildfire risks through the installation or maintenance of infrastructure. Therefore, the proposed project would have a less than significant impact on exacerbated wildfire risk from infrastructure.

d) *Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?*

Less Than Significant Impact: The project site is located within a Very High FHSZ consisting of steep topography with elevations ranging from 390 feet to 345 feet AMSL and would involve the repair and replacement of an existing culvert system and the removal of approximately 27 trees. As such, the project site would temporarily alter the existing drainage system that could trigger landslides from post-fire slope instability. This increased risk would only occur temporarily during the construction phase. The proposed project would implement erosion control measures, replant trees, and restore previously existing hydrological conditions and would not construct any structures. Further, through implementation of a Water Pollution Control Plan which

would include BMPs such as perimeter sediment control, the proposed project would not substantially degrade surface, further reducing the risk of landslides. Thus, the proposed project would not expose people or structures to landslides or downslope flooding from post-fire slope instability once it is completed. Therefore, the proposed project would have a less than significant impact related to post-fire slope instability.

Sources of Information

California State Geoportal. California Fire Hazard Severity Zone Viewer. Website: https://gis.data.ca.gov/datasets/789d5286736248f69c4515c04f58f414. Accessed August 13, 2025.

Contra Costa County. 2045 General Plan. Chapter 9: Health and Safety Element. Website: https://www.contracosta.ca.gov/DocumentCenter/View/84950/Chapter-9---Health-and-Safety-Element-PDF. Accessed August 13, 2025.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
21. *MANDATORY FINDINGS OF SIGNIFICANCE*				
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	☐	☐	☐	☐
c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☐	☐

SUMMARY:

a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?

Less Than Significant Impact With Mitigation Incorporated. The proposed project has been evaluated for its potential to substantially degrade the quality of the environment, reduce the habitat of fish or wildlife species, threaten plant or animal communities, reduce the number or restrict the range of rare or endangered species, or eliminate important examples of California history or prehistory throughout this Initial Study/Mitigated Negative Declaration (IS/MND). Key findings are summarized herein.

The project site contains sensitive biological resources, including riparian woodland and intermittent drainages, and is within the range of several special-status plant and wildlife species. However, with implementation of the mitigation measures identified in Section 4 (Biological Resources), including protocol-level rare plant surveys (MM BIO-1a), worker environmental awareness training (MM BIO-1b), exclusion fencing (MM BIO-1c), species-specific avoidance and minimization measures for California red-legged frog, northwestern pond turtle, and Alameda

whipsnake (MM BIO-1d, MM BIO-1e, and MM BIO-1f), and migratory bird protection (MM BIO-1g), impacts to biological resources would be reduced to less than significant.

Impacts to sensitive natural communities and jurisdictional waters would be minimized through compliance with regulatory permits and implementation of MM BIO-2a (Streambed Alteration Agreement), MM BIO-2b (Section 401 Permit), and MM BIO-2c (Section 404 Permit), as well as post-construction revegetation.

Potential impacts to cultural and tribal cultural resources will be reduced to less than significant with implementation of MM CUL-1 (Unanticipated Discovery of Cultural Resources) and MM CUL-2 (Impact to Previously Undiscovered Human Remains), which require work stoppage, evaluation, and appropriate treatment in the event of a discovery, as well as consultation with the Confederated Villages of Lisjan Nation.

Paleontological resources are protected through MM GEO-2, which requires immediate work stoppage and evaluation by a qualified Paleontologist if unique paleontological materials are uncovered.

Based on the discussion provided above, compliance with required guidelines and statutes and implementation of the mitigation measures, the proposed project would not substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory. Therefore, impacts would be less than significant following compliance with applicable laws and regulations, and incorporation of MM BIO-1a through MM BIO-1g, MM BIO-2a through MM BIO-2c, MM CUL-1 and MM CUL-2, and MM GEO-2.

b) *Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)*

Less Than Significant With Mitigation Incorporated. The analysis in this IS/MND includes a review of the proposed project's potential impacts regarding air quality, biological resources, cultural resources, parks and recreation facilities, noise, and transportation, among other environmental issue areas. As presented throughout this IS/MND, the proposed project's cumulative impacts would either be less than significant with mitigation incorporated, less than significant, or there would be no impacts.

Construction-related impacts (e.g., air quality, noise, GHG emissions, traffic) are temporary and localized. With implementation of mitigation measures such as MM AQ-1 (Bay Area Air District Basic Construction BMPs for dust control), MM GEO-1 (Soil Condition Monitoring), and MM HAZ-1 (Wildfire Safety Procedures), these impacts would be less than significant.

At this time, the only known project in the vicinity that may overlap in schedule is another County storm damage repair project, the San Pablo Dam Road Storm Drain and Slide Repair project located approximately 3.5 miles northwest of this project site in unincorporated El Sobrante. However, the proposed project is currently anticipated to go into construction in 2026, while the San Pablo Dam Road Storm Drain and Slide Repair project is currently anticipated to go into

construction in 2027. Because of the distance from this project site, and the fact that through traffic would be maintained during construction for both projects, even if there is some overlap in project schedules, cumulative impacts to traffic would be less than significant.

As discussed throughout this IS/MND and above, the proposed project's cumulative impacts would be less than significant. No additional mitigation measures would be required to reduce cumulative impacts. Therefore, the proposed project would contribute to less than significant cumulative impacts.

c) *Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?*

Less Than Significant With Mitigation Incorporated. Based on the discussion provided in the Project Description and the analysis throughout this IS/MND, the proposed project would not cause substantial adverse effects on human beings, either directly or indirectly, because the proposed project's potential impacts would either be less than significant (without mitigation) or any significant impacts would be mitigated to a less than significant level. Therefore, for the reasons set forth in this IS/MND including, without limitation, the implementation of MM AQ-1, MM GEO-1 and MM GEO-2 and MM HAZ-1, the proposed project would not result in substantial adverse effects on human beings. Impacts would be less than significant with mitigation incorporated.

REFERENCES

In the process of preparing the Initial Study Checklist and conduction of the evaluation, the above cited references were consulted. Reference materials are available for review by contacting Shrav Sundaram, Contra Costa County Department of Public Works, by email at shravan.sundaram@pw.cccounty.us or by phone at (925) 812-7702.

MITIGATION MONITORING REPORTING PLAN

The following Mitigation Measures will be implemented according to Section 15097 of the CEQA guidelines. Contra Costa County Public Works Department (PWD) is responsible for ensuring these measures are implemented by PWD staff and by Contractors working on behalf of PWD.

Mitigation, Avoidance, and Minimization Measures

Impact	Mitigation Measure:	Implementation Timing	Implementation Entity	Verification Entity	Compliance Verification Date
3. AIR QUALITY					
AIR-1: Proposed project construction will generate fugitive dust.	**MITIGATION MEASURE AIR-1**: Implement Bay Area Air District Basic Construction Best Management Practices				
	1) All exposed surfaces (e.g., parking areas, staging areas, graded areas, and unpaved access roads) shall be watered two times per day. 2) All haul trucks transporting soil, sand, or other loose material off-site shall be covered. 3) All visible mud or dirt trackout onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited. 4) All vehicle speeds on unpaved roads shall be limited to 15 mph. 5) All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. 6) Idling times shall be minimized either by shutting equipment off when not in use. 7) Reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points. 8) All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a	During construction.	Construction Contractor.	Contra Costa County Public Works Department (PWD).	

MITIGATION MONITORING REPORTING PLAN

Impact	Mitigation Measure:	Implementation Timing	Implementation Entity	Verification Entity	Compliance Verification Date
	certified mechanic and determined to be running in proper condition prior to operation. 9) Post a publicly visible sign with the telephone number and contact information for the designated on-site construction manager available to receive and respond to dust complaints. This person shall report all complaints to Contra Costa County and take immediate corrective action as soon as practicable but not more than 48 hours after the complaint is received. The Bay Area Air District phone number shall also be visible to ensure compliance with applicable regulations.				
4. BIOLOGICAL RESOURCES					
BIO-1a: Proposed project construction may disturb special-status plant species.	**MITIGATION MEASURE BIO-1a:** Protocol-level Special-status Plant Survey				
	Implementation of the following measures would ensure avoidance of impacts on special-status plant species: A qualified Biologist shall conduct special-status plant survey(s) within the Biological Study Area (BSA) before the onset of work activities as determined by the California Department of Fish and Wildlife (CDFW) and East Bay Municipal Utility District (EBMUD). Surveys shall be conducted in a manner which maximizes the likelihood of locating special-status plants that may be on-site. Surveys shall be timed within the early, mid, and late season to capture the local blooming period of the target special-status plant species. If any special-status or EBMUD-monitored plant species are detected, construction activities shall not be allowed to commence until consultation with EBMUD and CDFW has occurred, as needed.	Prior to construction work activities within the early, mid, and late season of the local plant blooming period as determined by the Environmental Services Division-supplied Biologist.	PWD Environmental Services Division-supplied Biologist.	PWD Environmental Services Division.	
	MITIGATION MEASURE BIO-1b: Worker Environmental Awareness Program				

MITIGATION MONITORING REPORTING PLAN

Impact	Mitigation Measure:	Implementation Timing	Implementation Entity	Verification Entity	Compliance Verification Date
BIO-1b: Proposed project construction may impact special-status wildlife.	Before any activities begin on the project, a qualified Biologist shall provide a Worker Environmental Awareness Program (WEAP) for all construction personnel. At a minimum, the training shall include a description of the California red-legged frog (CRLF), northwestern pond turtle (NWPT), and Alameda whipsnake (AWS); their habitat; the regulatory protections afforded for these species; the general measures that are being implemented to conserve them as they relate to the proposed project; and the boundaries within which project activities may be accomplished.	Prior to any grading or construction work activities; and continuously thereafter as additional workers are mobilized or join the project.	PWD Environmental Services Division-supplied Biologist.	PWD Environmental Services Division.	
BIO-1c: Proposed project construction may impact special-status wildlife.	**MITIGATION MEASURE BIO-1c:** Exclusion Fencing or Temporary Silt Fencing				
	Prior to project work activities, wildlife exclusion fencing shall be installed around the perimeter of the development footprint in a manner that will prevent California red-legged frog (CRLF), northwestern pond turtle (NWPT), and Alameda whipsnake (AWS) from entering the project impact areas. A qualified Biologist shall be present during the installation of the wildlife exclusion fencing. The barrier fencing shall be removed within 72 hours of completion of work. The location and design of the fence shall be approved by a qualified Biologist, and the qualified Biologist shall also be present on-site to monitor installation until the exclusion fence is complete. At a minimum, the exclusion fencing shall be at least 3 feet high and the lower 6 inches of the fence shall be buried in the ground to prevent animals from crawling under. The remaining 2.5 feet shall be left above ground to serve as a barrier for animals moving on the ground surface. Fencing shall be installed and maintained in good condition during all construction activities and shall be inspected and maintained daily until the completion of project construction.	Prior to and during grading and construction work activities.	PWD Environmental Services Division-supplied Biologist.	PWD Environmental Services Division.	
	MITIGATION MEASURE BIO-1d: California Red-legged Frog Mitigation				

MITIGATION MONITORING REPORTING PLAN

Impact	Mitigation Measure:	Implementation Timing	Implementation Entity	Verification Entity	Compliance Verification Date
BIO-1d: Proposed project construction may impact the California Red-legged Frog.	Implementation of the following measures would ensure avoidance of impacts on California red-legged frog (CRLF): *Work Restriction:* To the greatest extent practicable, project activities shall be restricted to the period between April 15 and October 15, when CRLF are the least active. If project activities are proposed outside of the work restriction period, consultation with the California Department of Fish and Wildlife (CDFW)/United States Fish and Wildlife Service (USFWS) shall be required to ensure appropriate avoidance and/or minimization measures are incorporated. *Pre-Construction Survey:* A qualified Biologist shall survey the Biological Study Area (BSA) no more than 5 days before the onset of work activities and present survey results to the County, for submittal to CDFW. If any life stage of the CRLF is detected, construction activities shall not be allowed to commence until consultation with USFWS has occurred. *Revegetation:* Areas disturbed by the project shall be revegetated utilizing an assemblage of native upland vegetation suitable for the area. Invasive, exotic plants shall be controlled to the maximum extent practicable during construction. This measure shall be implemented in all areas disturbed by activities associated with the project unless CDFW and the project applicant determine that it is not feasible or practical.	Prior to and during grading and construction work activities.	Construction Contractor, PWD Environmental Services Division-supplied Biologist.	PWD Environmental Services Division.	
BIO-1e: Proposed project construction may impact the Northwestern Pond Turtle.	**MITIGATION MEASURE BIO-1e:** Northwestern Pond Turtle Mitigation				
	Implementation of the following measures would ensure avoidance of impacts on the northwester pond turtle (NWPT): *Pre-construction Survey*: A qualified Biologist shall survey the Biological Study Area (BSA) no more than 5 days before the onset of work activities and present survey results to the County, for	Prior to and during grading and construction activities.	Construction Contractor, PWD Construction Management firm, PWD Environmental	PWD Environmental Services Division.	

MITIGATION MONITORING REPORTING PLAN

Impact	Mitigation Measure:	Implementation Timing	Implementation Entity	Verification Entity	Compliance Verification Date
	submittal to the California Department of Fish and Wildlife (CDFW). If any life stage of the NWPT is detected, construction activities shall not be allowed to commence until consultation with the CDFW and the United States Fish and Wildlife Service (USFWS) has occurred. *Revegetation*: Areas scheduled for grading and/or vegetation shall be revegetated utilizing an assemblage of native upland vegetation suitable for the area. Invasive, exotic plants shall be controlled to the maximum extent practicable during construction. This measure shall be implemented in all areas disturbed by activities associated with the project unless the CDFW, the USFWS, and the project applicant determine that it is not feasible or practical.		Services Division-supplied Biologist.		
BIO-1f: Proposed project construction may impact the Alameda Whipsnake.	**MITIGATION MEASURE BIO-1f:** Alameda Whipsnake Mitigation				
	Implementation of the following measures would ensure avoidance of impacts on the Alameda whipsnake (AWS): *Work Restriction*: To the greatest extent practicable, project activities shall be restricted to the period between April 15 and October 15, when AWS is more active and capable of moving away from proposed construction activities. If project activities are proposed outside of the work restriction period, consultation with California Department of Fish and Wildlife (CDFW)/United States Fish and Wildlife Service (USFWS) shall be required to ensure appropriate avoidance and/or minimization measures are incorporated. *Pre-Construction Survey*: A qualified Biologist shall survey the project site within 24 hours prior to the initiation of construction-related activities for AWS and present survey results to the County, for submittal to the CDFW. If an individual is detected during the pre-construction survey, they shall be relocated to	Prior to and during grading and construction activities.	Construction Contractor, PWD Construction Management firm, PWD Environmental Services Division-supplied Biologist.	PWD Environmental Services Division.	

MITIGATION MONITORING REPORTING PLAN

Impact	Mitigation Measure:	Implementation Timing	Implementation Entity	Verification Entity	Compliance Verification Date
	suitable habitat outside the project's impact areas (with approval from the USFWS as appropriate). *Construction Monitoring*: A qualified Biologist(s) will be present during any construction activities that could, in the Biologist's opinion, potentially result in take of individual AWS. The Biologist(s) shall have the authority to stop any work that may result in take of this species. The on-site Biologist shall be the contact for any employee or Contractor who might inadvertently kill or injure an AWS or anyone who finds a dead, injured, or entrapped individual of any of these species. If an AWS is observed within the work area during project activities, all work that could result in the injury or death of the individual shall stop immediately and the qualified Biologist shall be immediately notified. The animal shall be allowed to leave the work area of its own volition. If it does not leave the area of its own volition, the CDFW shall be contacted to determine next steps. No individual of any of these species shall be handled without prior approval from the CDFW or USFWS. *Avoidance of Entrapment*: To prevent inadvertent entrapment of AWS during construction, all excavated, steep-walled holes or trenches more than 1 foot deep would be covered at the close of each working day with plywood or other suitable material, or provided with one or more escape ramps constructed of earth fill or wooden planks. Before such holes or trenches are filled, they must be thoroughly inspected for trapped animals. All pipes, culverts, or similar structures stored overnight shall be inspected before they are subsequently moved, capped, and/or buried. If at any time wildlife is discovered, the approved Biologist shall be contacted to determine the next steps.				
	MITIGATION MEASURE BIO-1g: Migratory Bird Mitigation				

MITIGATION MONITORING REPORTING PLAN

Impact	Mitigation Measure:	Implementation Timing	Implementation Entity	Verification Entity	Compliance Verification Date
BIO-1g: Proposed project construction may impact migratory birds.	Implementation of the following measures would ensure avoidance of impacts on migratory birds: *Avoidance of Nesting Season*: To the extent practicable, vegetation and/or tree removal shall be scheduled to avoid the avian nesting season. The nesting season typically runs from February 1 through August 31. *Pre-Construction Surveys for Active Nests*: If the proposed project requires vegetation and/or tree removal to be removed during the nesting season (February 1 to August 31), pre-construction nesting bird surveys shall be conducted no more than 7 days prior to the start of ground or vegetation disturbance (including tree removal) and survey results presented to the County, for submittal to the California Department of Fish and Wildlife (CDFW). *Buffer Zone for Active Nests*: If an active nest is located during preconstruction surveys, a qualified Biologist, in consultation with the CDFW, shall determine an appropriately sized avoidance buffer based on the species and anticipated disturbance level. The CDFW recommends a minimum no disturbance buffer of 250 feet around active nests of non-listed bird species, ~~and~~ a 500-foot no-disturbance buffer around active nests of ~~non-listed~~smaller raptors such as accipiters, a 1,000-foot no-disturbance buffer around active nests of large raptors such as buteos, and up to a 1-mile no-disturbance buffer around active nests of bald and golden eagles if visible from the project site.~~)~~ A qualified Biologist shall delineate the avoidance buffer using Environmentally Sensitive Area fencing, pin flags, and/or yellow caution tape. In consultation with CDFW, the qualified Biologist shall monitor the active nest during the subject construction activities and modify the protection zone accordingly to prevent project-related nest disturbance. The buffer zone shall be maintained around the	Prior to and during grading and construction activities.	Construction Contractor, PWD Construction Management firm, PWD Environmental Services Division-supplied Biologist.	PWD Environmental Services Division.	

MITIGATION MONITORING REPORTING PLAN

Impact	Mitigation Measure:	Implementation Timing	Implementation Entity	Verification Entity	Compliance Verification Date
	active nest site(s) until the qualified Biologist has determined that the nesting attempt is complete. No construction activities or construction foot traffic is allowed to occur within the avoidance buffer(s). In consultation with the CDFW, the qualified Biologist shall monitor the active nest during the subject construction activities and modify the protection zone accordingly to prevent project-related nest disturbance, until the young have fledged, or nests fail due to other natural causes.				
BIO-2a: Proposed project construction will disturb riparian habitats.	**MITIGATION MEASURE BIO-2a:** Obtain Approval of and File Notification of Streambed Alteration Agreement Prior to Construction (After Agency Coordination)				
	The project applicant shall coordinate with California Department of Fish and Wildlife (CDFW) and obtain and file a notification of a Streambed Alteration Agreement, if and to the extent required by applicable laws and regulations, prior to conducting construction activities within any riparian corridor. If required, the applicant shall implement all mitigation measures imposed by the CDFW related to the subject Streambed Alteration Agreement, which may include but not be limited to the implementation of erosion and bank stabilization measures, riparian habitat enhancement, and/or restoration and revegetation of the stream corridor habitat as determined by the CDFW.	Prior to grading or construction permit approval.	PWD Environmental Services Division.	PWD Environmental Services Division.	
BIO-2b: Proposed project construction will disturb riparian habitats.	**MITIGATION MEASURE BIO-2b:** Obtain Approval of and File Notification of Section 401 Permit Prior to Construction (After Agency Coordination)				
	The project applicant shall coordinate with the Regional Water Quality Control Board (RWQCB) and obtain and file a notification of a Section 401 Permit, if and to the extent required by applicable laws and regulations, prior to conducting construction activities within any jurisdictional feature. If required, the applicant shall implement all mitigation measures imposed by the RWQCB related to the subject Section 401 Permit, which may include, but not be limited to, the implementation of erosion and bank	Prior to grading or construction permit approval.	PWD Environmental Services Division.	PWD Environmental Services Division.	

MITIGATION MONITORING REPORTING PLAN

Impact	Mitigation Measure:	Implementation Timing	Implementation Entity	Verification Entity	Compliance Verification Date
	stabilization measures, compensatory mitigation, stream corridor enhancement, and/or restoration and revegetation of the stream corridor habitat, as determined by the RWQCB.				
BIO-2c: Proposed project construction will disturb riparian habitats.	**MITIGATION MEASURE BIO-2c:** Obtain Approval of and File Notification of Section 404 Permit Prior to Construction (After Agency Coordination)				
	The project applicant shall coordinate with the United States Army Corps of Engineers (USACE) and obtain and file a notification of a Section 404 Permit, if and to the extent required by applicable laws and regulations, prior to conducting construction activities within any jurisdictional feature. If required, the applicant shall implement all mitigation measures imposed by the USACE related to the subject Section 404 Permit, which may include, but not be limited to, the implementation of erosion and bank stabilization measures, compensatory mitigation (if deemed necessary during the USACE consultation process), stream corridor enhancement, and/or restoration and revegetation of the stream corridor habitat, as determined by the USACE.	Prior to grading or construction permit approval.	PWD Environmental Services Division.	PWD Environmental Services Division.	
BIO-2d: Proposed project construction will result in the removal of trees.	**MITIGATION MEASURE BIO-2d:** Compliance with Arborist Report Tree Preservation Measures				
	Trees proposed for preservation shall be protected in accordance with the Tree Preservation Measures outlined in the project-specific arborist report. The County, Contractor, and all site personnel must adhere to these Tree Preservation Measures throughout all phases of construction, including grading, trenching, and material storage. Preservation measures include, but are not limited to protective fencing, root zone safeguards, and other specified actions that shall be installed and/or maintained by qualified personnel to prevent construction-related damage to preserved trees on-site.	During all phases of construction.	Construction Contractor, PWD Construction Management firm, PWD Environmental Services Division.	PWD Environmental Services Division.	
5. CULTURAL RESOURCES					

MITIGATION MONITORING REPORTING PLAN

Impact	Mitigation Measure:	Implementation Timing	Implementation Entity	Verification Entity	Compliance Verification Date
CUL-1: Proposed project construction could impact unanticipated cultural resources during ground-disturbing activities.	**MITIGATION MEASURE CUL-1:** Unanticipated Discovery of Cultural Resources				
	• Contractor shall be notified of the possibility of encountering historic or archaeological materials during ground-disturbing activities. A standard inadvertent discovery clause will be included in every construction contract to inform Contractors of requirements during construction. • Prior to the initiation of construction activities, a qualified Archaeologist shall provide Worker Environmental Awareness Program (WEAP) training to construction personnel with an overview of applicable laws, project mitigation measures, and procedures to be followed with regard to historical, archaeological, and Tribal resources that may be encountered over the course of the project. • Procedures for discovery include: - If potential archaeological or Tribal cultural materials are encountered during construction, the Contractor shall cease all ground-disturbing activities within a 100-foot radius of the find. The Contractor shall immediately notify the District Resident Engineer or their designated representative to request a qualified Archaeologist and Confederated Villages of Lisjan Nation (CVLN) representative to assess the nature and significance of the find. The Archaeologist shall stake the area of discovery, placing stakes no more than 10 feet apart, forming a circle having a radius of no less than 100 feet from the point of discovery. - If the finding(s) is not determined to be potentially significant, work may resume.	Notification prior to construction permits. WEAP training prior to any grading or construction work activities; and continuously thereafter as additional workers are mobilized or join the project.	Construction Contractor, PWD Environmental Services Division supplied Archaeologist, PWD Construction Management firm.	PWD Environmental Services Division.	

MITIGATION MONITORING REPORTING PLAN

Impact	Mitigation Measure:	Implementation Timing	Implementation Entity	Verification Entity	Compliance Verification Date
	- If the finding(s) is determined to be potentially significant, the Archaeologist in consultation with the Tribal representative shall develop a mitigation plan, which shall be implemented by the entity in accordance with State guidelines and in consultation with the consulting Tribe. The mitigation plan shall include avoidance of the resource or, if avoidance of the resource is not feasible, the plan shall outline appropriate treatment of the resource in coordination with the consulting Tribe and, if applicable, a qualified archeologist. Examples of appropriate mitigation for the Tribal Cultural Resources (TCRs) include, but are not limited to, protecting the cultural character and integrity of the resources, protecting traditional use of the resources, protecting the confidentiality of the resources, or heritage recovery. Preservation in place (i.e., avoidance) is typically the preferred manner of treatment of Tribal resources and cultural items. No photography of resources is permitted. - Any previously undiscovered resources found during construction within the Project Site shall be recorded on appropriate California Department of Parks and Recreation (DPR) 523 forms and shall be submitted to Contra Costa County Department of Conservation and Development, the Northwest Information Center (NWIC), and the California Office of Historic Preservation (OHP), as required.				
CUL-2: Proposed project construction could impact undiscovered human remains.	**MITIGATION MEASURE CUL-2:** Impact to Previously Undiscovered Human Remains				
	• In the event of the accidental discovery or recognition of any human remains, there shall be no further excavation	During construction.	Construction Contractor, PWD Environmental	PWD Environmental	

MITIGATION MONITORING REPORTING PLAN

Impact	Mitigation Measure:	Implementation Timing	Implementation Entity	Verification Entity	Compliance Verification Date
	or disturbance within 100 feet of the remains until the Contra Costa County Coroner is contacted to determine whether the remains are Native American and if an investigation of the cause of death is required. At the same time, an Archaeologist shall be contacted to assess the situation. • If the Coroner determines the remains to be Native American, the Coroner shall contact the Native American Heritage Commission (NAHC) within 24 hours of this identification. The NAHC shall identify a Most Likely Descendant (MLD) to inspect the site and provide recommendations for the proper treatment of the remains and associated funerary objects. • If the Confederated Villages of Lisjan Nation (CVLN) is designated as the MLD, the Tribe shall make every effort to recommend keeping ancestral remains and funerary objects in situ and protected. If removal of burials is necessary, Tribal representatives shall work with the qualified Archaeologist to ensure that excavation and documentation are treated carefully, ethically, and respectfully. No photography, testing, or scientific study, destructive or non-destructive, shall be conducted on ancestral human remains. All bone, if not identifiable as human or animal, shall be treated as human remains and the appropriate protocols followed. The Archaeologist shall prepare a report of all activities, including documenting methods and results as well as recommendations for the treatment of the human remains and any associated archaeological materials. The report shall be submitted to the District, the Northwest Information Center (NWIC), and the Tribe. • Tribal representatives shall rebury the Native American human remains and associated funerary objects with		Services Division supplied Archaeologist, PWD Construction Management firm.	Services Division.	

MITIGATION MONITORING REPORTING PLAN

Impact	Mitigation Measure:	Implementation Timing	Implementation Entity	Verification Entity	Compliance Verification Date
	appropriate dignity either: (1) in accordance with the recommendations of the MLD if available; or (2) in the project vicinity at a location decided upon between the CVLN representative and the County, where the reburial would be accessible to Tribal members in perpetuity and would not be subject to further disturbance. The discovery is to be documented on California Department of Parks and Recreation (DPR) 523 forms and otherwise kept confidential and secure to prevent any further disturbance.				
7. GEOLOGY AND SOILS					
GEO-1: Ground disturbance from the proposed project has the potential to contribute to seismic-related ground failure.	**MITIGATION MEASURE GEO-1:** Soil Condition Monitoring				
	A Geologist under the supervision of a Certified Engineering Geologist (CEG) working for the Geotechnical Engineer-of-Record, and approved by the Contra Costa County Department of Conservation and Development prior to issuance of any construction permit, shall be retained for construction of the proposed project. The CEG shall monitor for soil stability prior to and during all excavations and earthwork activities for construction of the proposed project. The CEG shall evaluate the applicability of the recommendations presented in the Geological & Geotechnical Investigation Report by BSK Associates to the subsurface conditions encountered. If required, the CEG shall recommend appropriate changes in design or construction procedures if conditions differ from those outlined in the report.	Prior to construction.	PWD approved Geotechnical Engineer-of-record.	PWD Construction Management Firm	
GEO-2: Ground disturbance from the proposed project has the potential to disturb previously unknown	**MITIGATION MEASURE GEO-2:** Paleontological Resource Discovery				
	Should unique paleontological materials be uncovered during grading, trenching, or other on-site excavation(s), the County shall be immediately notified, and all earthwork within 100 feet of the	During grading and construction.	Construction Contractor, PWD Construction	PWD Environmental	

MITIGATION MONITORING REPORTING PLAN

Impact	Mitigation Measure:	Implementation Timing	Implementation Entity	Verification Entity	Compliance Verification Date
paleontological resources.	materials shall be stopped immediately until a qualified Paleontologist is contacted and retained to evaluate the significance of the find. If the find is not significant, work may resume. If the find is potentially significant, the Paleontologist, in coordination with the County, would implement appropriate sampling, salvaging, identification, and reporting procedures consistent with California Public Resources Code 30244.		Management firm, PWD Environmental Services Division –supplied Paleontologist	Services Division.	
9. HAZARDS AND HAZARDOUS MATERIALS					
HAZ-1: The project site is located within a Very High Fire Hazard Severity Zone and construction of the proposed project could expose construction workers to an area highly susceptible to wildland fires.	**MITIGATION MEASURE HAZ-1:** Wildfire Safety Procedures				
	During project construction, staging and equipment/vehicle parking areas shall be cleared of dead vegetation that could serve as fuel for combustion. The clearing shall include vegetation trimming within a few inches of the ground. No grading shall take place as part of the vegetation clearing. Additionally, fire extinguishers will be kept on-site. If work is to be performed during the dry season, workers shall be informed of wildland fire risk and measures to prevent it via brochures and worker awareness training.	During construction.	Construction Contractor, PWD Construction Management firm, PWD Environmental Services Division.	PWD Environmental Services Division.	

Attachment A: Response to Comment Letter

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State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Bay Delta Region
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GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director

January 2, 2026

Syd Sotoodeh, Senior Planner
Contra Costa County Department of Conservation and Development
30 Muir Road
Martinez, CA 94553
syd.sotoodeh@dcd.cccounty.us

Subject: San Pablo Dam Road Storm Drain and Pavement Repair Project, Mitigated Negative Declaration, SCH No. 2025120302, Contra Costa County

Dear Syd Sotoodeh:

The California Department of Fish and Wildlife (CDFW) received a Notice of Intent to Adopt an Initial Study/Mitigated Negative Declaration (IS/MND) from Contra Costa County Department of Conservation and Development (County) for the San Pablo Dam Road Storm Drain and Pavement Repair Project (Project) pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines.[1]

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

CDFW ROLE

CDFW is California's **Trustee Agency** for fish and wildlife resources and holds those resources in trust by statute for all the people of the State (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a)). CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species (*Id.*, § 1802). Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW is also submitting comments as a **Responsible Agency** under CEQA (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381). CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As

[1] CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

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proposed, for example, the Project may be subject to CDFW's Lake and Streambed Alteration (LSA) regulatory authority (Fish & G. Code, § 1600 et seq.). Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), the Project proponent may seek related take authorization as provided by the Fish and Game Code.

PROJECT DESCRIPTION SUMMARY

Proponent: Contra Costa County Public Works Department

Objective: The objective of the Project is to remediate damages to a culvert system that conveys stream flows beneath San Pablo Dam Road and resulting damages to the roadway. Existing dual 72-inch corrugated metal pipe culverts will be replaced with 66-inch steel casing pipes, which will be installed in sections using a pipe ramming method and welded on-site. A new 48-inch metal pipe culvert will be installed to the south of the existing culverts to maintain hydraulic capacity of the culvert system using a jack-and-bore pipe installation method. Concrete grout will be installed to reinforce the exterior of the pipes. An existing concrete flume located at the downstream end of the culvert system will be demolished and reconstructed, and existing concrete headwalls at the inlet and outlet will be demolished and reconstructed. A failed 36-inch culvert will be filled with cement and abandoned in place. The damaged roadway will be excavated and rehabilitated. To prepare the Project site and facilitate staging of equipment and construction access, approximately 27 trees will be removed, vegetation will be cleared and grubbed within the Project area, water diversions will be installed to isolate the Project area from stream flows, and a cattle fence will be temporarily installed. Disturbed areas will be hydroseeded with a native seed mix and native trees will be replanted following construction.

Location: The Project is located on San Pablo Dam Road approximately 1.2 miles east of Wildcat Canyon Road and approximately one mile northwest of the City of Orinda in unincorporated Contra Costa County. The approximate Project coordinates are Latitude 37.908789° and Longitude -122.231350°.

Timeframe: Construction of the proposed project is expected to begin in 2026 and last approximately 115 working days between May 2026 and December 2026.

REGULATORY REQUIREMENTS

California Endangered Species Act and Native Plant Protection Act

A CESA Incidental Take Permit (ITP) must be obtained from CDFW if the Project has the potential to result in "take" of plants or animals listed under CESA or the Native Plant Protection Act (NPPA), either during construction or over the life of the Project.

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Under CESA, “take” means “hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill” (Fish & G. Code, § 86). CDFW’s issuance of an ITP is subject to CEQA, and to facilitate permit issuance, any project modifications and mitigation measures must be incorporated into the CEQA document analysis, discussion, and mitigation monitoring and reporting program. If the Project will impact CESA- or NPPA- listed species, early consultation is encouraged, as significant modification to the Project and mitigation measures may be required in order to obtain an ITP. CEQA requires a mandatory finding of significance if a project is likely to substantially impact threatened or endangered species (Pub. Resources Code, §§ 21001, subd. (c) & 21083; CEQA Guidelines, §§ 15380, 15064 & 15065). In addition, pursuant to CEQA, the Lead Agency cannot approve a project unless all impacts to the environment are avoided or mitigated to less-than-significant levels, or the lead agency makes and supports Findings of Overriding Consideration (FOC) for impacts that remain significant despite the implementation of all feasible mitigation. FOC under CEQA, however, do not eliminate the Project proponent’s obligation to comply with the Fish and Game Code.

Fully Protected Species

Fully protected species, such as white-tailed kite (*Elanus leucurus*), golden eagle (*Aquila chrysaetos*), and bald eagle (*Haliaeetus leucocephalus*) may not be taken or possessed at any time and no licenses or permits may be issued for their take except as follows:

- Take is for necessary scientific research;
- Efforts to recover a fully protected, endangered, or threatened species;
- Live capture and relocation of a bird species for the protection of livestock; or
- They are a covered species whose conservation and management is provided for in a Natural Community Conservation Plan (Fish & G. Code, §§ 3511, 4700, 5050, & 5515).

Specified types of infrastructure projects may be eligible for an ITP for unavoidable impacts to fully protected species if certain conditions are met. (See Fish & G. Code §2081.15.) Project proponents should consult with CDFW early in the project planning process.

Lake and Streambed Alteration Agreement

CDFW requires an LSA Notification, pursuant to Fish and Game Code section 1600 et seq., for Project activities affecting river, lakes or streams and associated riparian habitat. Notification is required for any activity that may substantially divert or obstruct

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the natural flow; change or use material from the bed, channel, or bank (including associated riparian or wetland resources); or deposit or dispose of material where it may pass into a river, lake, or stream. Work within ephemeral streams, drainage ditches, washes, watercourses with a subsurface flow, and floodplains is generally subject to notification requirements. In addition, infrastructure installed beneath such aquatic features, such as through horizontal directional drilling, is also generally subject to notification requirements. Therefore, any impact to the mainstems, tributaries, or floodplains or associated riparian habitat caused by the proposed Project will likely require an LSA Notification. CDFW may not execute a final LSA Agreement until it has considered the MND and complied with its responsibilities as a responsible agency under CEQA.

Raptors and Other Nesting Birds

CDFW has authority over actions that may result in the disturbance or destruction of active bird nest sites or the unauthorized take of birds. Fish and Game Code sections protecting birds, their eggs, and nests include section 3503 (regarding unlawful take, possession, or needless destruction of the nests or eggs of any bird), section 3503.5 (regarding the take, possession, or destruction of any birds-of-prey or their nests or eggs), and section 3513 (regarding unlawful take of any migratory nongame bird).

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist the County in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. Editorial comments or other suggestions may also be included to improve the document. Based on the Project's avoidance of significant impacts with implementation of mitigation measures, CDFW concludes that an MND is appropriate for the Project.

I. Mitigation Measure or Alternative and Related Impact Shortcoming

COMMENT 1: Culverts May Impede Wildlife Passage

Issue: The IS/MND concludes that the Project will not impact wildlife movement corridors, indicating that the Project site provides limited connectivity opportunities (p. 41). However, in its evaluation of potential impacts, the IS/MND does not assess the potential operational impacts of the new culvert system upon wildlife connectivity. Without this evaluation, it cannot be concluded that Project-related impacts to the movement of wildlife would be less-than-significant.

Specific impact: The Project proposes to replace an existing dual culvert system that conveys stream flows beneath a roadway. Roadways can be a barrier to wildlife movement and limit the ability of terrestrial wildlife to access portions of their habitat,

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thereby posing a risk of habitat fragmentation and habitat loss. Wildlife that enter roadways are vulnerable to direct mortality from vehicle strike. Culverts can provide connectivity across barriers presented by roadways and thereby help mitigate the negative impacts of roadway barriers (Sparks & Gates, 2017; Clevenger et. al., 2002). However, improperly constructed culverts can result in a variety of conditions that have the potential to act as barriers to movement (Diebel et. al., 2015; Gibson et. al., 2005; CDFW, 2009). If the existing culverts are an established movement corridor beneath the roadway, and if the replacement culverts introduce a barrier to that movement, this may result in increased risks to wildlife posed by the roadway barrier, including habitat loss, habitat fragmentation, and direct mortality.

Why impact may occur: The length of the replacement culverts will remain unchanged compared to the existing culverts, but the diameters will decrease from 72 inches to 66 inches. This will result in a reduced flow capacity, which could result in an increased flow velocity of water passing through the culverts. Though the IS/MND indicates that a new 48-inch culvert will be installed to the south of the dual culverts to compensate for the reduced hydraulic capacity of the system, it is not clear what the potential impacts will be upon water velocities or whether the culverts will be of a size that could potentially constrict the stream channels.

Culvert designs that result in either high water velocity or shallow depth within the culvert can pose a barrier to wildlife movement (Diebel et. al., 2015). Aquatic organisms, such as fish, amphibians, reptiles, and invertebrates can also be directly impacted if stream channels are constricted, as the accumulation of debris and sediment may impede passage of fish and wildlife species (Wagner, 2015). The IS/MND does not evaluate the potential for wildlife to utilize the existing culverts for movement beneath the roadway, but studies of roadway crossings have documented a wide variety of wildlife species using culverts for passage beneath roads, including smaller wildlife such as snakes, reptiles, and frogs (Sparks & Gates, 2017; Sparks & Gates, 2012).

The IS/MND indicates that California red-legged frog, northwestern pond turtle, and Alameda whipsnake have the potential to occur within the Project site. California red-legged frog and northwestern pond turtle both require aquatic and upland habitat (Pierce et. al., 2021; Alvarez & Vecchio, 2024), and the existing culverts may provide habitat connectivity between upland habitat to the western side of the roadway and downstream habitat and San Pablo Reservoir to the east of the roadway. Alameda whipsnake are known to use riparian corridors for movement, and snake species may utilize culverts as movement corridors (U.S. Fish and Wildlife Service (USFWS), 2000; Sparks & Gates, 2012). If the new culverts introduce a barrier to an established movement corridor beneath the roadway within the Project site, this may limit the ability of terrestrial wildlife to access previously available habitat.

Docusign Envelope ID: C472F1DC-26BC-4853-8F16-B7FE03DEC2AC

Evidence impact would be significant: California red-legged frog and northwestern pond turtle are California State Species of Special Concern (SSC), and Alameda whipsnake is an endangered species pursuant to CESA (Fish & G. Code § 2050). Consistent with CEQA Guidelines, the status of each qualifies California red-legged frog, northwestern pond turtle, and Alameda whipsnake as endangered, rare, or threatened species under CEQA (CEQA Guidelines, § 15380). Habitat loss and fragmentation is one of the primary threats to all three species (Thomson et. al., 2016; USFWS, 2000). If the Project has the potential to substantially reduce the habitat or restrict the range of these species, this would be a Mandatory Finding of Significance pursuant to CEQA Guidelines section 15065, subdivision (a)(1).

To reduce impacts to less-than-significant: CDFW offers the following recommendations to reduce the likelihood that the project could impede fish and wildlife passage, degrade habitat, or present a safety risk during its lifetime:

Recommendation 1: Evaluate Impacts to Biological Resources in Areas with Hydrological Connectivity. CDFW recommends that the County evaluate potential impacts on any biological resources (e.g., rare plants, wildlife) in areas adjacent to the Project site where there is hydrologic connectivity. CDFW recommends that the County disclose methodology and findings in a recirculated IS/MND, including a discussion of potential impacts and, if necessary, avoidance, minimization, and mitigation measures.

Recommendation 2: Adherence to Established Guidelines. CDFW recommends that culverts are designed and installed to withstand the 100-year peak flood flow event without compromising the structural integrity of the culvert and without overtopping the culvert inlet (CDFG, 2002; NOAA, 2023).

Recommendation 3: Small Animal-Friendly Culverts. Contra Costa County Department of Public Works should design culverts with consideration for wildlife passage. Culverts should be designed to provide conditions that minimize avoidance responses of species that may utilize the culvert for passage. Considerations may include but are not limited to: maintaining appropriate flow velocities for target species, maintaining an appropriate substrate, and/or installing wildlife shelving that can be attached to allow small animals to move through culverts when water is flowing. The County should use concepts outlined in the Measures to Reduce Road Impacts on Amphibians and Reptiles in California (Langston, T.E.S. & Clevenger, A.P., 2020), Wildlife Crossings Guidance Manual (Meese et. al., 2007) and/or the Federal Highway Administration (FHWA) Wildlife Crossing Structure Handbook Design and Evaluation in North America, (FHWA, 2011). CDFW recommends post-construction effectiveness monitoring for a minimum of five years. CDFW also

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recommends adaptive management if the design is not effective at providing wildlife passage.

COMMENT 2: Impacts to Roosting Bats, Including Pallid Bat

Issue: The IS/MND does not discuss potential Project-related impacts to bat species, including pallid bat (*Antrozous pallidus*). The Special-Status Wildlife Species Habitat Evaluation (Table 2, Appendix B) indicates that there is no suitable habitat for pallid bat present on the Project site; however, the Project site contains anthropogenic structures and oak woodland habitat that could potentially support pallid bat or other bat species. Project-related impacts to roosting bats may therefore still be *potentially significant*.

Specific impact: Removal of potential roost habitat within the Project site, such as trees or culverts, may result in the direct mortality of bats if they are present within the refugia but are undetected at the time of removal. Project-related disturbances to maternity roosts may result in roost abandonment, reduced reproductive success, or loss or reduced health or vigor of young, while disturbances to hibernation roosts may reduce the survival of bats by causing them to deplete their energy reserves from repeated waking or by forcing them to expend critical energy on evasion and location of a suitable replacement roost. Project-related disturbances may also prevent bats from accessing roosting habitat during construction, and Project implementation may result in the permanent loss of roosting habitat for bat species.

Why impact would occur: The Project proposes to remove approximately 27 trees to prepare the site for construction. Additionally, one 36-inch corrugated metal pipe culvert will be filled and abandoned, and two corrugated metal pipe culverts will be replaced with steel casing pipes. The Project site is within the current range of several species of North American bats, including pallid bat, a State Species of Special Concern. Pallid bats have been documented using a variety of roosting sites, including live trees, snags, and anthropogenic structures (Baker et. al., 2008).

Even low levels of human disturbance during the maternity season can cause mothers to abandon roost sites, which may result in the mortality of young bats (Beck & Rudd, 1960). Pallid bats in particular are highly sensitive to maternity roost disturbances, and mothers will often move roosts if disturbed (Beck & Rudd, 1960). Due to low reproductive rates and sensitivity of breeding females to disruption, maternity colonies affected by human activities that temporarily reduce fecundity or result in mortality may require multiple years to recover following disturbance events (Caltrans, 2019). Similarly, disturbance to hibernating bats or bats that have entered torpor during the winter can result in mortality. Many bat species hibernate or enter torpor to conserve energy at a time when resources are scarce, and repeated

Docusign Envelope ID: C472F1DC-26BC-4853-8F16-B7FE03DEC2AC

arousal during hibernation or torpor can deplete energy reserves and reduce survival (O'Shea et. al., 1977; Boyles & Brack, 2009).

Evidence impact would be significant: Project activities that may result in the mortality of bats, such as the removal of occupied bat roosts or disturbance that causes the loss of a maternity colony or hibernating colony, may be considered "take" under California Fish and Game Code (Fish & G. Code, § 86). Bats are considered non-game mammals and are afforded protection by State law from take and/or harassment (Fish & G. Code, § 4150; Cal. Code of Regs, § 251.1). Furthermore, pallid bat is an SSC, a status which qualifies it as a rare, threatened, or endangered species under CEQA (CEQA Guidelines, § 15380).

To reduce impacts to less-than-significant: CDFW recommends that the IS/MND is revised to include an evaluation of potential Project-related impacts to roosting bats, including pallid bat, and recirculated. To help mitigate Project-related impacts to a less-than-significant level, CDFW recommends the inclusion of the following potentially feasible mitigation measures:

Removal of Potential Tree Roosts. Prior to conducting woody vegetation modification or tree removal, the qualified biologist shall survey trees within the Project site for potential bat roosting habitat (e.g. dense foliage, cracks, crevices, exfoliating bark). The qualified biologist shall flag or mark all trees with potential roosting habitat, and the removal or modification of trees with potential roosting habitat shall be restricted to the periods from ***March 1 through April 15*** *and* ***August 31 through October 15****. To ensure that bats have left potential roosting trees, trees with potential roosting habitat shall be removed over the course of two days. On the first day, limbs shall be removed in the late afternoon. This disturbance should cause potentially roosting bats to seek other roosts during their nighttime foraging. The remainder of the tree can then be removed on the second day as late in the afternoon as feasible.*

Removal of Potential Structural Roosts. The Project shall avoid removal of all potential bat roosting habitat during bat maternity season (April 15 – September 1) and hibernation season (October 15 – March 1). If these seasonal windows cannot be avoided, a qualified biologist shall conduct visual surveys for bats of any potential roosts, as well as daytime and evening acoustic surveys, no more than ***14 days*** *prior to removal of potential habitat. If bats are found or suspected to be roosting within the Project site, the qualified biologist shall identify the species, estimated quantity present, roost type, and roost status. The qualified biologist shall avoid disturbing bats during surveys. Under no circumstances shall an active maternity roost be removed or disturbed.*

Docusign Envelope ID: C472F1DC-26BC-4853-8F16-B7FE03DEC2AC

Removal of refugia shall not be performed under any of the following conditions: during any precipitation events, when ambient temperatures are below 4.5 degrees Celsius, when windspeeds exceed 11 miles per hour, and/or any other condition which may lead to bats seeking refuge.

Roosting Bat Avoidance and Mitigation. If bats are found to be roosting within the Project site, the qualified biologist shall develop a Bat Mitigation and Monitoring Plan, which shall include: (1) an assessment of all direct and indirect Project impacts to bats based on survey results; (2) effective avoidance and minimization measures to protect bats based on species and roost type(s) to be impacted; (3) compensatory mitigation for permanent impacts to maternity roosts if impacted. Compensatory mitigation shall be appropriate for the species impacted and commensurate with the impacts, and may include installation of replacement habitat on-site (e.g. bat boxes) on a temporary and permanent basis. The Bat Mitigation and Monitoring Plan shall describe any monitoring and maintenance activities necessary to ensure compensatory habitat remains effective.

COMMENT 3: Impacts to Special-Status Raptors, including Golden Eagle, Bald Eagle, and White-Tailed Kite

Issue: The IS/MND does not evaluate potential Project-related impacts to golden eagle, bald eagle, or white-tailed kite. Mitigation Measure BIO-1g, which proposes mitigation for impacts to nesting birds, is insufficient to protect special-status raptor species from potential Project-related impacts. Project-related impacts to special-status raptors may therefore still be *potentially significant.*

Specific impact: The Project proposes to install new culverts using pipe ramming and jack-and-bore methods, which will generate noise and visual disturbances that could potentially disturb nesting birds within range of the Project site. The Project also proposes to remove approximately 27 trees from the Project site. Though the trees to be removed may not consist of preferred nesting habitat for golden eagle, bald eagle, or white-tailed kite, their removal could potentially remove a visual barrier to nests outside of the Project site, which may leave nests adjacent to the Project site more vulnerable to visual disturbance. Project activities including ground disturbance, operation of heavy machinery, and the movement of workers may generate noise or visual disturbances which may in turn result in nest abandonment, reduced reproductive success, or loss or reduced health or vigor of eggs or young. If nesting birds occur within the Project site and are undetected during surveys, Project activities including tree and vegetation removal may inadvertently crush, destroy, or remove active nests.

Why impact would occur: The Project site is located within the yearlong range of golden eagle and white-tailed kite, and within the winter range for bald eagle

Docusign Envelope ID: C472F1DC-26BC-4853-8F16-B7FE03DEC2AC

(CDFW, 2021). The San Pablo Reservoir is located 0.3 miles to the east of the Project site and adjacent grassland and woodland habitat may provide habitat for bald eagle, golden eagle, or white-tailed kite. There is one California Natural Diversity Database (CNDDB) record of golden eagle and one CNDDB record of bald eagle within 5 miles of the Project site, and one historic bald eagle nest site within 1.5 miles of the Project site with multiple years of observations (CDFW, 2025). Eagles and other raptors are highly sensitive to disturbance at the nest site (Driscoll, 2010).

Evidence impact would be significant: Take of nesting birds, birds in the orders Falconiformes or Strigiformes, and migratory nongame bird as designated in the Migratory Bird Treaty Act is a violation of Fish and Game Code (§ 3503, 3503.5, 3513).

White-tailed kite, bald eagle, and golden eagle are State Fully Protected species (Fish & G. Code § 3511). The bald eagle is also an endangered species pursuant to CESA (Fish & G. Code § 2050). Consistent with CEQA Guidelines, the status of each qualifies white-tailed kite, bald eagle, and golden eagle as endangered, rare, or threatened species under CEQA (CEQA Guidelines, § 15380). If white-tailed kite, bald eagle, or golden eagle are injured or killed as a result of Project implementation, the Project may result in a substantial reduction in the number or restriction in the range of a threatened species or endangered species, which is considered a Mandatory Finding of Significance pursuant to CEQA Guidelines section 15065, subdivision (a)(1).

To reduce impacts to less-than-significant: CDFW recommends that the Pre-Construction Surveys for Active Nests and Buffer Zone for Active Nests sub-measures of Mitigation Measure BIO-1g (p. 34) are updated to reflect the following potentially feasible mitigation measures:

> *Pre-Construction Surveys for Active Nests. If the proposed Project requires vegetation and/or tree removal to be removed during the nesting season (February 1 to September 15), pre-construction nesting bird surveys shall be conducted no more than 7 days prior to the start of ground or vegetation disturbance (including tree removal) and survey results presented to the County, for submittal to CDFW. The minimum survey radii surrounding the work area shall be the following: (1) 250 feet for non-raptors; (2) 1,000 feet for raptors; and (3) a one-mile radius of the Project site for golden eagle and bald eagle.*
>
> *Buffer Zone for Active Nests. Any active nests shall have an appropriately sized protective buffer to protect the bird's normal bird behavior to prevent nesting failure or abandonment. Typical protective buffers are as follows: i) 1,000 feet for large raptors such as buteos, ii) 500 feet for smaller raptors such as accipiters, iii)*

Docusign Envelope ID: C472F1DC-26BC-4853-8F16-B7FE03DEC2AC

250 feet for passerines, and iv) one mile for golden eagle or bald eagle. Project activities within the protective buffers shall be prohibited until the nesting season has concluded and young have fully fledged, unless otherwise modified and authorized by CDFW in writing. No project personnel or equipment shall be allowed to enter the protective buffer until a Qualified Biologist determines that the young have fully fledged and will no longer be adversely affected by the project. A Qualified Biologist shall observe any identified active nests prior to the start of any construction-related activities to establish a behavioral baseline of the adults and any nestlings, and all active nests should be continuously monitored by a biologist during construction activities to detect any signs of disturbance and behavioral changes as a result of the project. If signs of disturbance and behavioral changes are observed, work shall cease and the protective buffer shall be increased.

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations (Pub. Resources Code, § 21003, subd. (e)). Accordingly, please report any special-status species and natural communities detected during Project surveys to the CNDDB. The CNNDB field survey form can be filled out and submitted online at the following link: https://wildlife.ca.gov/Data/CNDDB/Submitting-Data. The types of information reported to CNDDB can be found at the following link: https://www.wildlife.ca.gov/Data/CNDDB/Plants-and-Animals.

ENVIRONMENTAL DOCUMENT FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of environmental document filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the environmental document filing fee is required in order for the underlying project approval to be operative, vested, and final (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089).

CONCLUSION

CDFW appreciates the opportunity to comment on the IS/MND to assist Contra Costa County Department of Conservation and Development in identifying and mitigating Project impacts on biological resources.

Questions regarding this letter or further coordination should be directed to Torrey Soland, Environmental Scientist, at (707) 266-2878 or

Docusign Envelope ID: C472F1DC-26BC-4853-8F16-B7FE03DEC2AC

Torrey.Soland@wildlife.ca.gov; or Sara Kern, Senior Environmental Scientist (Supervisory), at (916) 531-4465 or Sara.Kern@wildlife.ca.gov.

Sincerely,

DocuSigned by:
Erin Chappell
B77E9A6211EF486...

Erin Chappell
Regional Manager
Bay Delta Region

cc: Office of Land Use and Climate Innovation, State Clearinghouse, Sacramento

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Contra Costa County
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January 27, 2026

Torrey Soland
California Department of Fish and Wildlife
Bay Delta Region
2825 Cordelia Road, Suite 100 Fairfield, CA 94534

RE: San Pablo Dam Road Storm Drain and Pavement Repair Project
SCH No.: 2025120302
Project No.: 0672-6U6265

Dear Ms. Soland:

This letter addresses your comment letter dated January 2, 2026. Please see below for responses:

Comment 1: Culverts May Impede Wildlife Passage

Response: Item d of the Biological Resources section of the IS/MND analyzes impacts to movement of native resident or migratory fish or wildlife species or established native resident, or migratory wildlife corridors, or wildlife nursery sites.

As stated in the IS/MND, based on the CDFW Essential Connectivity Areas geospatial data set, which uses habitat modeling to identify areas of land with value as wildlife corridors, the project site is in an area defined as having limited connectivity opportunities due to San Pablo Dam Road. However, the County acknowledges CDFW comment that small terrestrial and aquatic wildlife could use the culvert system. With that, CDFW comments that decrease of the 72-inch-diameter dual culvert pipes to 66 inches could reduce flow capacity which may result in increased flow velocity that could pose a wildlife barrier.

A new 48-inch diameter culvert will be installed south of the dual culverts which will compensate for the reduced hydraulic capacity. The existing 36-inch diameter culvert north of the dual culverts to be abandoned functions solely as an overflow pipe and does not contribute hydraulic capacity until a larger storm event overtops into the inlet.

The three-line culvert system will convey flow during smaller storm events system such that reduced flows in each pipe would result in less velocity under the same flow conditions of the existing system. Therefore, the County considers the proposed design better or equivalent to the existing system with regards to hydraulics and wildlife passage. With regards to CDFW recommendations, the County's consultant evaluated the biological resources in the area as reported in the Caltrans Natural Environment Study-Minimal

Impacts (NES-MI) report and conducted hydraulic analysis to ensure the proposed design is consistent with the hydraulics of the existing culvert system to withstand a 100-year peak flood flow event without compromising the proposed culvert system. The County recognizes the importance of wildlife passage and will evaluate feasibility of design elements including but not limited to wildlife shelves to support amphibian/reptile passage through the culverts. However, given the emergency nature of the project and site constraints, full implementation of these features may not be possible.

Mitigation Measures BIO-1b, BIO-1c, BIO-1d, BIO-1e, and **BIO-1f** will be implemented to avoid impacts to listed amphibians and reptiles during construction.

Comment 2: Impacts to Roosting Bats, Including Pallid Bat

Response: Item a of the Biological Resources section of the IS/MND asks if the project would have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or United States Fish and Wildlife Service. There were two bat species identified that met these criteria – Pallid Bat and Townsend's Big-eared Bat. Both species were analyzed for potential to occur in the NES-MI report prepared for Caltrans and it was determined that while there is marginally suitable habitat present, there is low potential for their presence given the lack of visible evidence of bats such as guano/staining during environmental assessments. Furthermore, CNDDB occurrences of these species within 5-miles were over 60 years old.

Nevertheless, the County has notified CDFW of the project and a draft Lake and Streambed Alteration Agreement has been issued to the County which includes recommended mitigation measures (pre-construction surveys, work window restrictions on certain activities, and submission of a Bat Mitigation and Monitoring Plan if findings indicate bats are roosting on-site). Inclusion of these measures protects all bat species.

Mitigation Measure BIO-2a in the IS/MND states that a Streamed Alteration Agreement will be obtained prior to construction, and all mitigation measures imposed by CDFW will be implemented.

Comment 3: Impacts to Special-Status Raptors, including Golden Eagle, Bald Eagle, and White-Tailed Kite

Response: Mitigation Measure BIO-1g of the IS/MND requires pre-construction surveys for nesting birds within 7 days prior to the start of ground or vegetation disturbance. This measure gives a general recommendation of buffer zones for active nests that were previously approved and required by CDFW including 250 feet for non-listed passerines, and 500 feet for non-listed raptors. The measure also states that the buffer would be determined by the qualified Biologist, in consultation with CDFW. These

buffer determinations take the specific nesting pair's biology into consideration including species, baseline disturbance exposure, project activities, visual line of sight to project activities, and signs of nest disturbance. **Mitigation Measure BIO-1g** will be edited for clarity to expand the survey buffer for large raptors to 1000 feet, and for bald and golden eagles to any areas within 1-mile of the project site if visible from the project.

Upon evaluation of CDFW's comments and preparation of these responses, the County, as the CEQA lead agency for the project, has determined that recirculation is not required pursuant to California State Code 15073.5 (c) circumstances 1) and 4):

1) Mitigation measures are replaced with equal or more effective measures pursuant to Section 15074.1.
4) New information is added to the negative declaration which merely clarifies, amplifies, or makes insignificant modifications to the negative declaration.

Thank you for providing comments on behalf of CDFW. Should you have any questions, please contact me at shravan.sundaram@pw.cccounty.us or (925) 812-7702.

Sincerely,

Shravan Sundaram
Environmental Analyst II
Environmental Services Division

SRS:

\\PW-DATA\grpdata\Environmental\Client Divisions\Design\San Pablo Dam Rd Storm Drain-Pavement Repair (WO6265)\CEQA\Noticing\6-Comments\CDFW\Final\SPDR Pavement Repair ISMND Comment Responses _1-27-26.docx

Attachment B: Public Review Draft IS/MND

Department of Conservation and Development

30 Muir Road
Martinez, CA 94553

Phone:1-855-323-2626

Contra Costa County

John Kopchik
Director

Jason Crapo
Deputy Director

Deidra Dingman
Deputy Director

Ruben Hernandez
Deputy Director

Gabriel Lemus
Deputy Director

December 5, 2025

NOTICE OF PUBLIC REVIEW AND INTENT TO ADOPT A PROPOSED MITIGATED NEGATIVE DECLARATION

Pursuant to the State of California Public Resources Code and the "Guidelines for Implementation of the California Environmental Quality Act of 1970" as amended to date, this is to advise you that the Contra Costa County Department of Conservation and Development, Community Development Division, has prepared an initial study evaluating the potential environmental impacts of the following project:

1. **Project Title:** San Pablo Dam Road Storm Drain and Pavement Repair Project

2. **County File Number:** CP# 23-19, Project No. 0672-6265

3. **Lead Agency:** Contra Costa County, Department of Conservation and Development

4. **Lead Agency Contact Person:** Syd Sotoodeh, Senior Planner
(925) 655-2877
syd.sotoodeh@dcd.cccounty.us

5. **Project Location:** On San Pablo Dam Road approximately 1.2 miles east of Wildcat Canyon Road and approximately one mile northwest of Orinda in unincorporated Contra Costa County. Assessor's Parcel Number: 267-040-002

6. **Applicant:** Contra Costa County Public Works Department
Contact: Shravan Sundaram, (925) 313-2366

7. Description of Project:

Construction Overview

Construction of the proposed project is expected to begin in 2026 and last approximately 115 working days and take one construction season between May 2026- December 2026. Standard construction equipment would be used, including but not limited to: excavators, graders, scrapers, loaders, etc. Portable construction trailers would be placed on-site. Dewatering equipment would be used. Construction activities would be generally limited to the hours between 7:00 a.m. and 6:00 p.m. Night work would be allowed to ensure projects can be constructed prior to the rainy season.

Staging and Access

Staging areas have been proposed and evaluated for environmental resources. Staging would take place at the culvert's inlet and outlet. Access to the inlet is available through the fire access route and access to the outlet is available through Old San Pablo Dam Road. Additional staging area is available along Old San Pablo Dam Road, and the boat ramp located 0.3 miles north of the outlet. San Pablo Dam Road will remain open for traffic throughout the project. Standard traffic control measures would be employed during construction activities, and emergency vehicles will have access at all times. Temporary construction easements from East Bay Municipal Utility District (EBMUD) would be required for access to the storm drain system, proposed staging areas, and other construction access.

Site Preparation

Tree removal will be limited to what is necessary to construct the proposed project. Approximately 27 trees, including California bay, Arroyo willow, Coast live oak, and Blue elderberry will be removed around the inlet to create space necessary for pipe ramming, and at the outlet where the concrete flume will be reconstructed. Vegetation within the work area will be cleared and grubbed as needed. In addition, a cattle fence will be installed along the fire trail to allow grazing to continue while keeping cattle away from the project site.

Demolition

Construction would first require demolition of the existing inlet and outlet headwalls. The existing inlet headwall size is approximately 40' x 10' and the existing outlet is approximately 30' x 10'. Demolition of the existing roadway will occur to depth needed for stabilization of the roadway prior to restoration of the roadway.

Installation and Repair of Culvert System

The two existing 72-inch corrugated metal pipes would be replaced through pipe ramming with 66-inch steel casing pipes through the existing alignment. A pneumatic hammer delivers percussive blows to the rear of the steel pipe, driving it forward. The steel pipe is equipped with a cone-shaped head to help navigate angular deflections, reduce friction, and expand the deformed CMP into a more circular cross-section through outward diametral pressure. To maintain consistent alignment, the cone-shaped head will also be pulled with a pulley system from the downstream end. This project involves ramming approximately 410 linear feet in total (205 feet in each direction). The steel casings, fabricated in 20-foot sections, are expected

to be installed at a rate of one section per day. After each section is driven, another is positioned, welded to the preceding casing, and the process continues until the full length is completed. Since the existing dual 72-inch system will be reduced to a dual 66-inch system, an additional 48-inch culvert will be installed by jack and bore on the south side to compensate for the reduced hydraulic capacity.

The third culvert would be constructed using the jack and bore method where a boring machine would jack (push) a 48-inch casing pipe into the ground in segments while simultaneously removing soil using a rotating auger within the casing.

Grouting

The County performed geotechnical borings around the existing culverts, which revealed severally compromised soils surrounding the system. To ensure that the newly installed pipes are properly supported and embedded in competent material, contact grouting is required around the exterior of the pipes. This grouting will be performed from within the installed pipes, using port holes specifically manufactured for this project, through which the contractor will pump the grout material. Additional vertical compact injection grouting from the roadway will be required to stabilize compromised soils between the culvert and roadway surface.

Concrete Work (Headwall, Flume, Abandonment of 36" Overflow CMP)

The existing inlet and outlet headwalls will be removed to install the three culverts. Once the three pipes are placed, the proposed headwalls will be constructed around them. Additionally, the existing concrete flume will be reconstructed due to structural damage caused by tree root intrusion. The proposed flume will be designed to direct the flow of the three culverts into the existing inlet, which conveys the flow through Old San Pablo Dam Road. Lastly, the existing 36" CMP overflow pipe will be abandoned and capped in place with concrete slurry to prevent future use or void formation.

Roadway Rehabilitation

The roadway will be excavated and replaced with a new aggregate base (AB) and hot mix asphalt (HMA). The reconstruction effort will rehabilitate the roadway section and fill any underlying voids contributing to the settlement.

Site Clean-up and Restoration

All disturbed areas will be stabilized with best management practices following construction and restored to pre-project conditions through hydroseeding with a native seed mix and replanting approximately 50 trees.

8. Surrounding Land Uses and Setting:

The 0.76-acre project site consists of one Assessor's Parcel Number (APN) with APN 267-040-002 and is located within the *Briones Valley* United States Geologic Survey (USGS) 7.5-minute Topographic Quadrangle Map, Township 1 North, Range 3 West, Section 30 (Latitude 37.908789° and Longitude -122.231350°).

The project site is located on relatively steep terrain approximately 390 feet above mean sea level (amsl), where San Pablo Dam Road underlays an intermittent drainage that is fed by two ephemeral tributaries carrying storm water through two existing corrugated metal pipes.

The project site is within EBMUD-managed lands within a County General Plan Resource Conservation (RC) land use designation and within an Exclusive Agricultural (A-80) zoning district. Land uses include cattle grazing, recreational uses such as picnicking, hiking, fishing, boating, kayaking, and watershed, water quality, and wildlife management. The project site is surrounded by the San Pablo Reservoir boat launch and Inspiration Trail to the north, Old San Pablo Trail and the San Pablo Reservoir to the east, open space to the south, and Wildcat Canyon Road to the West. Overhead power lines are located directly west of the project site and a fire trail is situated to the northwest.

9. Determination:

An Initial Study for the proposed project identified potentially significant impacts in the environmental areas of air quality, biological resources, cultural resources, geology/soils, hazards & hazardous materials, tribal cultural resources, and wildfire. Environmental analysis determined that measures were available to mitigate potential adverse impacts to insignificant levels. As a result, a Mitigated Negative Declaration (MND) has been prepared pursuant to Public Resources Code Section 21080(c), 21064.5, and Article 6 of the California Environmental Quality Act (CEQA) Guidelines.

Pursuant to the requirements of CEQA (CEQA Guidelines Section 15071) the MND describes the proposed project; identifies, analyzes, and evaluates the potential significant environmental impacts, which may result from the proposed project; and identifies measures to mitigate adverse environmental impacts. Mitigations identified in this document designed for the proposed project will ensure that the project will not cause a significant impact on the environment.

Prior to adoption of a Mitigated Negative Declaration, the County will be accepting comments on the Initial Study and Draft Mitigated Negative Declaration during a 30-day public comment period.

The initial study/draft mitigated negative declaration may be reviewed at the Contra Costa County Public Works Department, 255 Glacier Drive, Martinez, during normal business hours, or viewed online at the following link: https://www.contracosta.ca.gov/4841/Public-Input. All documents referenced in the reference index can be provided upon request.

Public Comment Period – The period for accepting comments on the adequacy of the environmental document will **begin Friday, December 5, 2025, and extend to 4:00 P.M., Monday, January 5, 2025** Any comments should be submitted in writing to the following:

Shravan Sundaram
Contra Costa County Public Works Department
255 Glacier Drive
Martinez, CA 94553
shravan.sundaram@pw.cccounty.us

The proposed Mitigated Negative Declaration will be considered for adoption at a meeting of the County Board of Supervisors. The hearing date before the County Board of Supervisors has not yet been scheduled. To confirm the Board date, please contact Shravan Sundaram at shravan.sundaram@pw.cccounty.us or directly at (925) 313-2366.

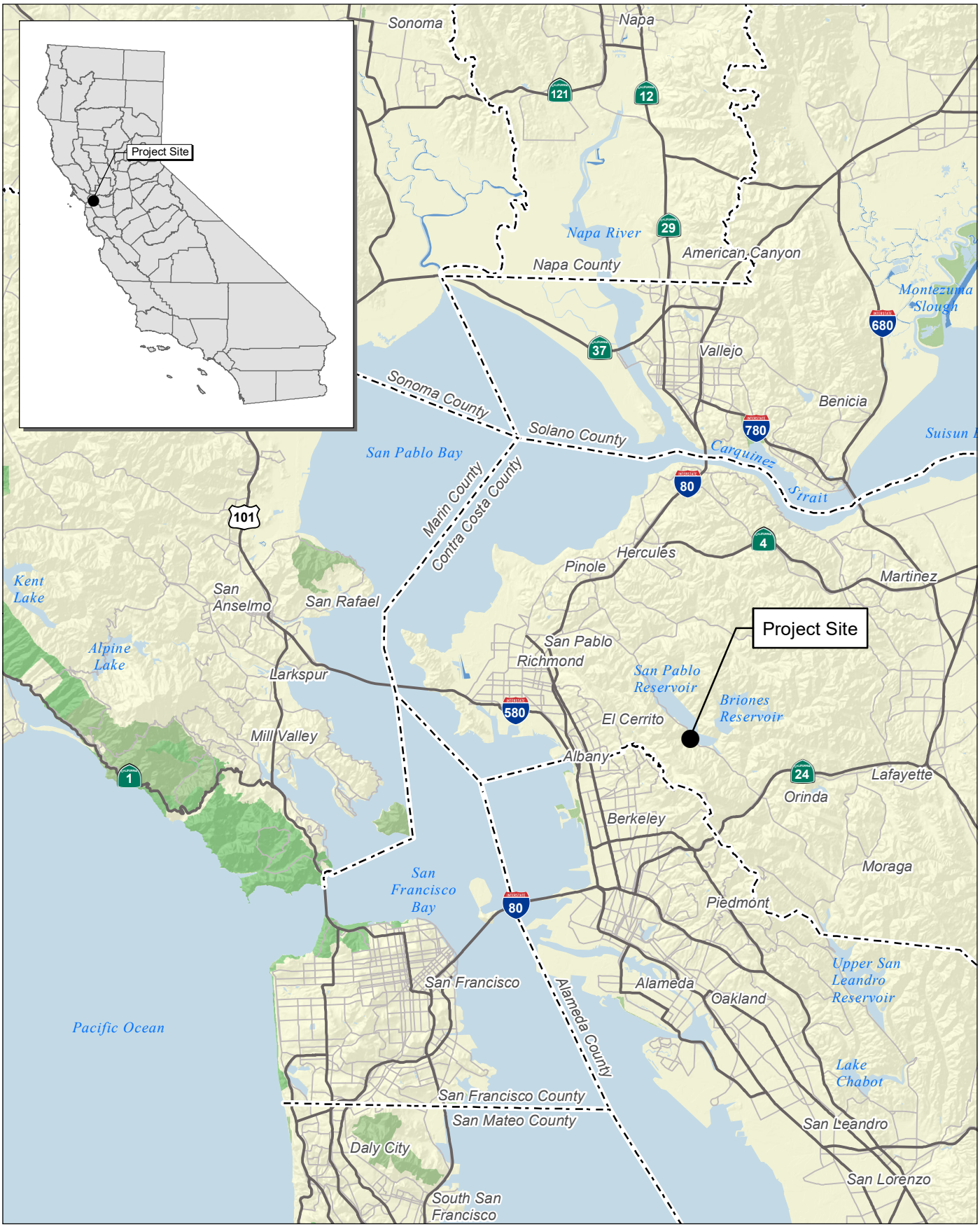
Sincerely,

Syd Sotoodeh

Syd Sotoodeh
Senior Planner
Department of Conservation & Development

attch: Regional Location Map
Local Vicinity Map
Layout Plan

cc: County Clerk's Office (2 copies)
Adjacent Occupants and Property Owners



Source: Census 2000 Data, The California Spatial Information Library (CaSIL).

FIRSTCARBON SOLUTIONS™

5 2.5 0 5 Miles

Figure 1
Regional Location Map

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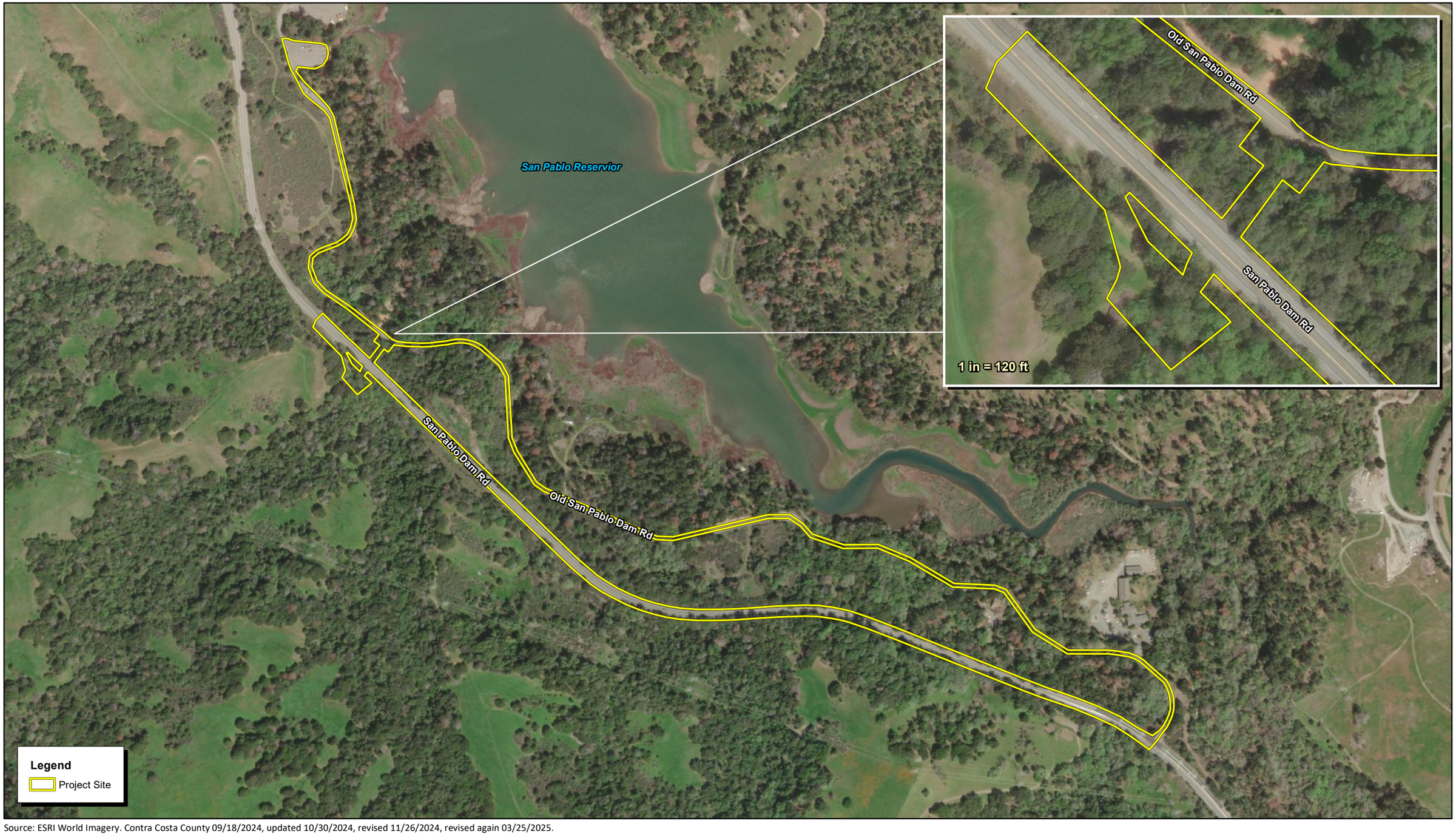

Source: ESRI World Imagery. Contra Costa County 09/18/2024, updated 10/30/2024, revised 11/26/2024, revised again 03/25/2025.

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500 250 0 500 Feet

Figure 2
Local Vicinity Map

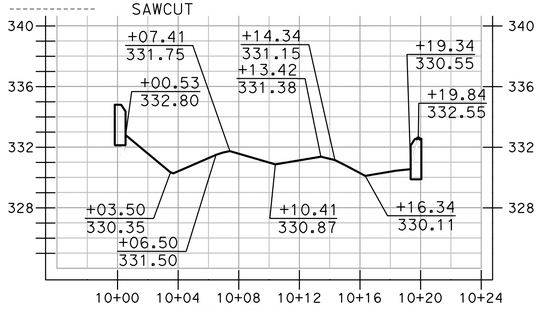
NOTES:

1. FOR ABBREVIATIONS AND SYMBOLS, SEE SHEET T-1.
2. SEE DEMOLITION PLANS FOR LIMIT OF REMOVAL ITEMS.

LEGEND:

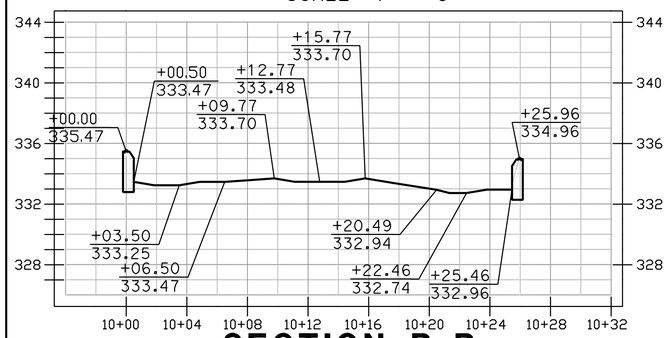
⇨ DIRECTION OF TRAFFIC

SAWCUT



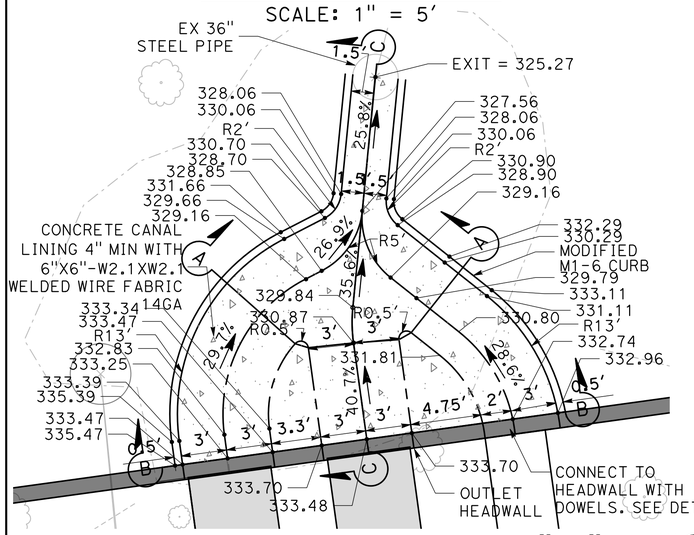
SECTION A-A

SCALE: 1" = 5'



SECTION B-B

SCALE: 1" = 5'

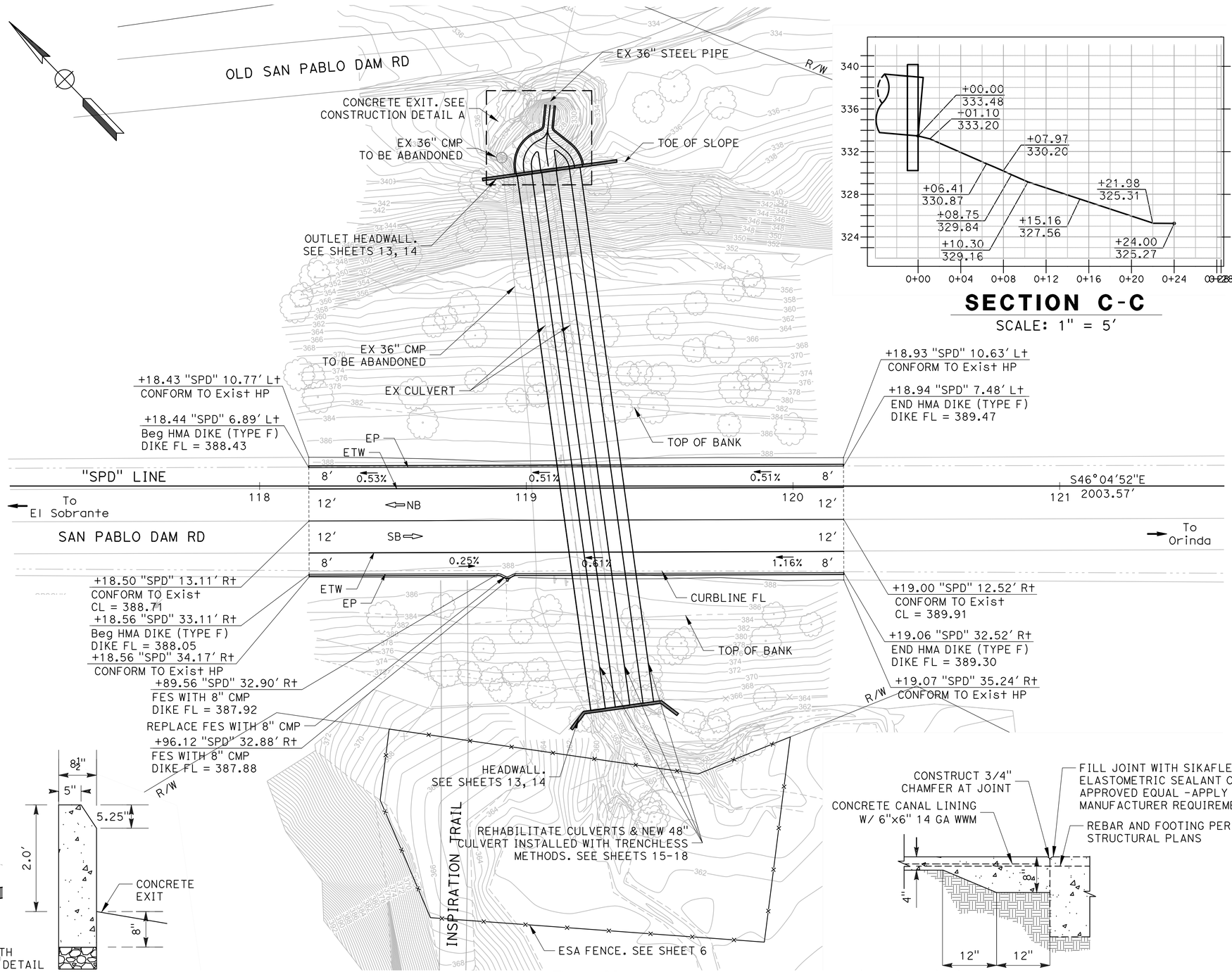


CONCRETE EXIT DETAIL "A"

SCALE: 1" = 5'

MODIFIED M1-6 CURB

SCALE: NTS



PLAN

SCALE: 1" = 20'

SECTION C-C

SCALE: 1" = 5'

CONNECTION TO HEADWALL

SCALE: NTS

L-1

REVISIONS				DES.: J. HANLEY	PROJECT ENGINEER	MARK THOMAS 2121 N CALIFORNIA Blvd, SUITE 260 WALNUT CREEK, CA 94596	CONTRA COSTA COUNTY PUBLIC WORKS DEPARTMENT 255 GLACIER DRIVE MARTINEZ, CALIFORNIA 94553	95% PLANS DATED 11-14-2025	1" = 20'			SAN PABLO DAM RD STORM DRAIN AND PAVEMENT REPAIR
NO.	DESCRIPTION	BY	DATE	DRAWN: J. BAI	XX-XX-XXXX PLANS APPROVAL DATE				STATE PLANE	EAST COORD.	NORTH COORD.	LAYOUT PLAN
				CHKD.: M. BIANUCCI					NAD83 CALIFORNIA ZONE 3	– – –	– – –	FILE NO. XX-XX-XXXX
				DATE: 06-13-2025								SHEET 4 OF 19
				SCALE: AS SHOWN								
				FLD. BK. ---								

DATE PLOTTED => 14-Nov-25 TIME PLOTTED => 10:53 PLOTTED BY => bpham FILENAME => SPD - L.dwg

FCS
An ADEC Innovation

San Pablo Dam Road Storm Drain and Pavement Repair Project

Initial Study/Mitigated Negative Declaration

Contra Costa County, California

PREPARED FOR:

Contra Costa County
Department of Conservation and Development
30 Muir Road
Martinez, CA 94553
925.655.2700

Contact: Syd Sotoodeh, Senior Planner

PREPARED BY:

FirstCarbon Solutions
2999 Oak Road, Suite 250
Walnut Creek, CA 94597
925.357.2562

Contact: Mary Bean, Project Director
Prathna Maharaj, AICP, Project Manager

December 2, 2025

CEQA ENVIRONMENTAL CHECKLIST FORM

Project Title:	San Pablo Dam Road–Storm Drain and Pavement Repair Project #0672-6U6265 CP# 23-19
Lead Agency Contact:	Syd Sotoodeh, Senior Planner Contra Costa County Department of Conservation and Development 30 Muir Road, Martinez, CA 94553 (925) 655-2877, syd.sotoodeh@dcd.cccounty.us
Contact Person and Phone Number:	Shravan Sundaram, Environmental Analyst II, Contra Costa County Public Works Department, Environmental Services Division (925) 812-7702, Shravan.Sundaram@pw.cccounty.us
Project Location:	On San Pablo Dam Road approximately 1.2 miles east of Wildcat Canyon Road and approximately one mile northwest of Orinda in unincorporated Contra Costa County (Figure 1, Figure 2). Assessor's Parcel Number: 267-040-002
Project Sponsor's Name and Address:	Contra Costa County Public Works Department 255 Glacier Drive, Martinez, CA 94553
General Plan Designation:	Resource Conservation (RC) Contra Costa County 2045 General Plan
Zoning:	Exclusive Agricultural District (A-80)

Description of Project:

The San Pablo Dam Road Storm Drain and Pavement Repair Project (proposed project) would rehabilitate the existing dual corrugated metal pipe storm drain culverts that were damaged in early 2023, resulting in gradual roadway settlement above the culvert system. The proposed project also includes installing a third culvert south of the existing culverts to restore hydraulic capacity beneath San Pablo Dam Road in Contra Costa County (County) (Figure 1, Figure 2). The proposed project would receive funding through the Federal Highway Administration (FHWA) Emergency Relief funds, which are anticipated to be managed through California Department of Transportation (Caltrans) Local Assistance.

Completing repairs to the original dual pipes and constructing the third pipe would require removing and replacing the current inlet and outlet headwalls to implement two trenchless culvert replacement methods of construction (Figure 3). The project site is located on relatively steep terrain consisting of an approximate 45-foot elevation gain from Old San Pablo Dam Road from the east to San Pablo Dam Road to the west. The existing culvert system conveys stormwater flows from both Baden Creek and Spring Creek. Runoff from these creeks converges along the west side of San Pablo Dam Road, where it is currently collected and directed into dual 72-inch pipes. The system conveys flows approximately 205 feet through the roadway embankment before discharging at the outlet on the east side of San Pablo Dam Road. From the outlet, flows enter a concrete flume that directs water into an existing 36-inch culvert system located between San Pablo Dam Road and Old San Pablo Dam Road. This system

conveys flows beneath Old San Pablo Dam Road, where they are discharged beyond the proposed project footprint and continue downstream into San Pablo Reservoir, located approximately 0.3 mile east of the project site. The reservoir is managed by the East Bay Municipal Utility District (EBMUD).

Demolition and Construction Activities

Construction of the proposed project is expected to begin in 2026 and last approximately 115 working days between May 2026 and December 2026. Standard construction equipment would be used, including but not limited to: excavators, graders, scrapers, loaders, sweepers/scrubbers, plate compactors, vibratory compactors, rollers, backhoes, cranes, drill rigs, casing oscillator, concrete pump trucks, generators, water trucks, storage/sedimentation tanks, and pavers. Portable construction trailers (portable office structure) would also be placed on-site. Dewatering equipment would be used, including but not limited to: coffer dams, pumps, and bypass lines. Construction activities would be generally limited to the hours between 7:00 a.m. and 6:00 p.m. Night work would be anticipated to ensure completion of proposed project construction prior to the rainy season.

Staging and Access: Staging areas have been proposed and evaluated for environmental resources. Staging would take place at the culvert's inlet and outlet. Access to the culvert inlet is available from the west side of San Pablo Dam Road via an existing fire trail route. Access to the culvert outlet is available through Old San Pablo Dam Road. Additional staging areas would be available along Old San Pablo Dam Road and the boat ramp located 0.3 mile north of the outlet. San Pablo Dam Road would remain open for traffic throughout the development of the proposed project. Standard traffic control measures would be employed during construction activities and emergency vehicles are anticipated to have access at all times. Temporary construction easements from EBMUD would be required for access to the storm drain system, proposed staging areas, and for other construction access.

Site Preparation: The proposed project would include the clearing, or removal, of vegetation within the project site, including trees. Tree removal would be limited to what is necessary to construct the proposed project. Approximately 27 trees including coast live oak (*Quercus agrifolia*), California bay (*Umbellularia californica*), California buckeye (*Aesculus californica*), pacific madrone (*Arbutus menziesii*), bigleaf maple (*Acer macrophyllum*), and arroyo willow (*Salix lasiolepis*) would be removed around the inlet to create space necessary for pipe ramming, and at the outlet where the concrete flume would be reconstructed. Additional vegetation within the work area would be cleared and grubbed as needed. Grubbing would include the removal of roots, stumps, and other underground material left behind after clearing. A cattle fence would be installed along the fire trail to allow grazing to continue while keeping cattle away from the project site.

Demolition: Construction would first require demolition of the existing inlet and outlet headwalls. The existing inlet headwall size is approximately 40 feet by 10 feet and the existing outlet is approximately 30 feet by 10 feet. Demolition of the existing roadway would occur to depth needed for stabilization of the roadway prior to restoration of the roadway.

Installation and repair of culvert system: The two existing 72-inch corrugated metal pipes would be replaced through pipe ramming with 66-inch steel casing pipes through the existing alignment. A pneumonic hammer would deliver percussive blows to the rear of the steel pipe, driving it forward. The steel pipe would be equipped with a cone-shaped head to help navigate angular deflections, reduce friction, and expand the deformed corrugated metal pipe into a more circular cross-section

through outward diametral pressure. To maintain consistent alignment, the cone-shaped head would also be pulled with a pulley system from the downstream end. The proposed project would include ramming approximately 410 linear feet in total (205 feet in each direction). The steel casings, fabricated in 20-foot sections, are expected to be installed at a rate of one section per day. After the installation of one section, another would be positioned and welded to the preceding casing. This process would continue until the full length is completed. Since the existing dual 72-inch system would be reduced to a dual 66-inch system, an additional 48-inch culvert would be installed by jack and bore on the south side to compensate for the reduced hydraulic capacity.

The third culvert would be constructed using the jack and bore method where a boring machine would jack (push) a 48-inch casing pipe into the ground in segments while simultaneously removing soil using a rotating auger within the casing.

Grouting: The County previously performed geotechnical borings around the existing culverts, which revealed compromised soils surrounding the culvert system. Contact grouting would be required around the exterior of the pipes to ensure that the newly installed pipes are properly supported and embedded in competent material. This grouting would be performed from within the installed pipes, using port holes specifically manufactured for the proposed project, through which the Contractor would pump the grout material. Additional vertical compaction injection grouting from the roadway would be required to stabilize compromised soils between the culvert and roadway surface.

Concrete Work (Headwall, Flume, Abandonment of 36-inch Overflow Corrugated Metal Pipe): The existing inlet and outlet headwalls would be removed to install the three culverts. Once the three pipes are placed, the proposed headwalls would be constructed around them. Additionally, the existing concrete flume would be reconstructed due to structural damage caused by tree root intrusion. The proposed flume would be designed to direct the flow of the three culverts into the existing inlet, which conveys the flow through Old San Pablo Dam Road. Lastly, the existing 36-inch corrugated metal pipe overflow pipe would be abandoned and capped in place with concrete slurry to prevent future use or void formation.

Roadway Rehabilitation: Approximately 10,000 square feet of roadway would be excavated and replaced with a new aggregate base and hot mix asphalt. The reconstruction effort would rehabilitate the roadway section and fill any underlying dips or voids contributing to the settlement.

Site Cleanup and Restoration: All disturbed areas would be stabilized following construction and restored to pre-project conditions through replanting of native trees and hydroseeding with a native seed mix.

Surrounding Land Uses and Setting:

The 0.76-acre project site consists of one Assessor's Parcel Number (APN) 267-040-002 and is located within the *Briones Valley, California* United States Geologic Survey (USGS) 7.5-minute Topographic Quadrangle Map, Township 1 North, Range 3 West, Section 30 (Latitude 37.908789° and Longitude -122.231350°).

Contra Costa County 2045 General Plan and Zoning Designations

The Contra Costa County 2045 General Plan (2045 General Plan) delineates the entirety of the project site having a land use designation of Resource Conservation (RC). The purpose of the RC land use

designation is to preserve ecologically significant and environmentally sensitive areas that allow land uses intended for resource management, and low-intensity agriculture and recreation with associated low-density structures while prohibiting land uses that increase density, including urban development and the establishment of subdivisions.

The project site is zoned as Exclusive Agricultural District (A-80). The A-80 zoning district permits all types of agriculture including general farming, horticulture, floriculture, livestock production, and forestry uses with associated structures intended for the storing of agricultural products and equipment, along with a detached dwelling where structures are only permitted on lots greater than 80 acres in size.

Environmental Setting

The project site is located on a segment of San Pablo Dam Road, which is a two-lane arterial roadway that provides connection from State Route (SR) 24 in Orinda, California in the south to El Sobrante, California and Interstate 80 (I-80) to the northwest. The project site is located on relatively steep terrain approximately 390 feet above mean sea level (AMSL), where San Pablo Dam Road runs over an intermittent drainage that is fed by two ephemeral tributaries (Baden Creek and Spring Creek) carrying stormwater through two existing corrugated metal pipes. Photos of the Biological Study Area (BSA) are included in Appendix B and locations of the photos are shown in Figure 4. Dense vegetation surrounds the project site, consisting of coast live oak, arroyo willow, and California bay woodland with an understory of native and non-native shrubs and herbaceous species (Figure 5). Non-native and ruderal vegetation are situated mostly within disturbed areas along the roadsides.

Stormwater from the intermittent drainage discharges into the San Pablo Reservoir located approximately 0.3 mile east of the project site. The San Pablo Reservoir currently holds approximately 19,810 acre-feet of water and its primary inflow is San Pablo Creek. San Pablo Reservoir is managed by EBMUD.

The project site is within EBMUD-managed lands that include recreational uses such as picnicking, hiking, fishing, boating, kayaking, along with watershed, water quality, and wildlife management. Specifically, the project site is surrounded by the San Pablo Reservoir boat launch and Inspiration Trail to the north, Old San Pablo Trail and the San Pablo Reservoir to the east, open space to the south, and Wildcat Canyon Road to the West. Overhead power lines are located directly west of the project site, and a fire trail is situated to the northwest. (Figure 2).

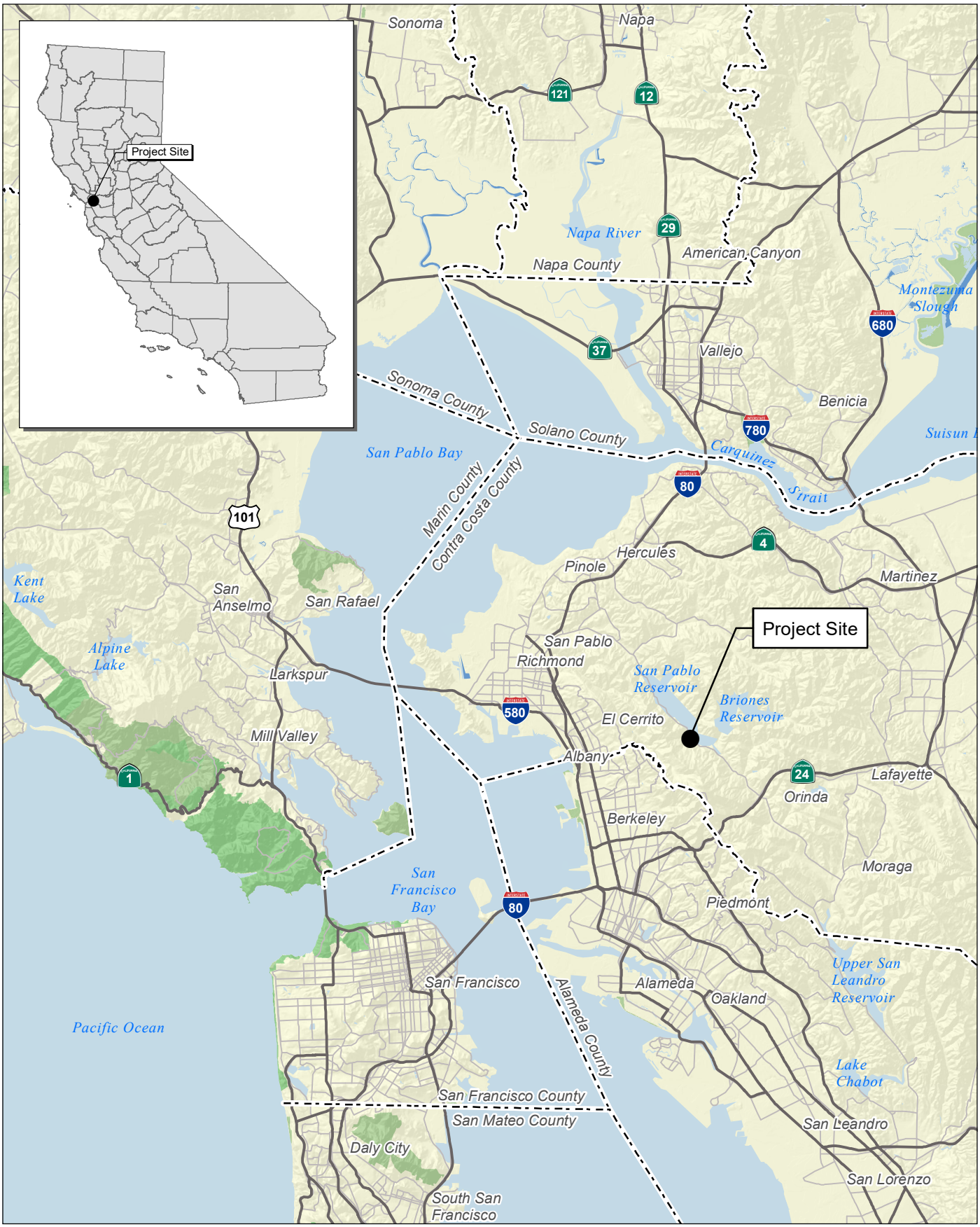
Other public agencies whose approval may be required (e.g., permits, financing, approval, or participation agreement). Please be advised that this may not be an exhaustive list and that approval may be required from other public agencies not listed here:

Agency	Approval
Contra Costa County Department of Conservation and Development	California Environmental Quality Act Compliance
California Department of Fish and Wildlife	Section 1602 Lake and Streambed Alteration Agreement
California Department of Transportation	National Environmental Policy Act Compliance
East Bay Municipal Utility District	Right-of-Way Agreement
San Francisco Regional Water Quality Control Board	Porter Cologne General Waste Discharge Notice of Applicability or Section 401 Certification
United States Army Corps of Engineers	Section 404 Permit

Additional permissions and real estate transactions may be necessary for the proposed project to be implemented.

Have California Native American Tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code Section 21080.3.1? If so, has consultation begun?

To initiate consultation, the County conducted outreach on June 5, 2025, to the Wilton Rancheria and the Confederated Villages of Lisjan Nation (CVLN) who have previously requested to be notified for projects within Contra Costa County. The Wilton Rancheria has not responded to consultation, while the CVLN requested consultation. The County consulted with the CVLN on methods for resource investigation, identification and avoidance, mitigation, and monitoring measures. Measures were agreed upon and consultation concluded on August 20, 2025. Therefore, consultation with Native American Tribes has occurred in relation to this project. As a courtesy, the County will provide a copy of this environmental document for the Tribe's comments.



Source: Census 2000 Data, The California Spatial Information Library (CaSIL).

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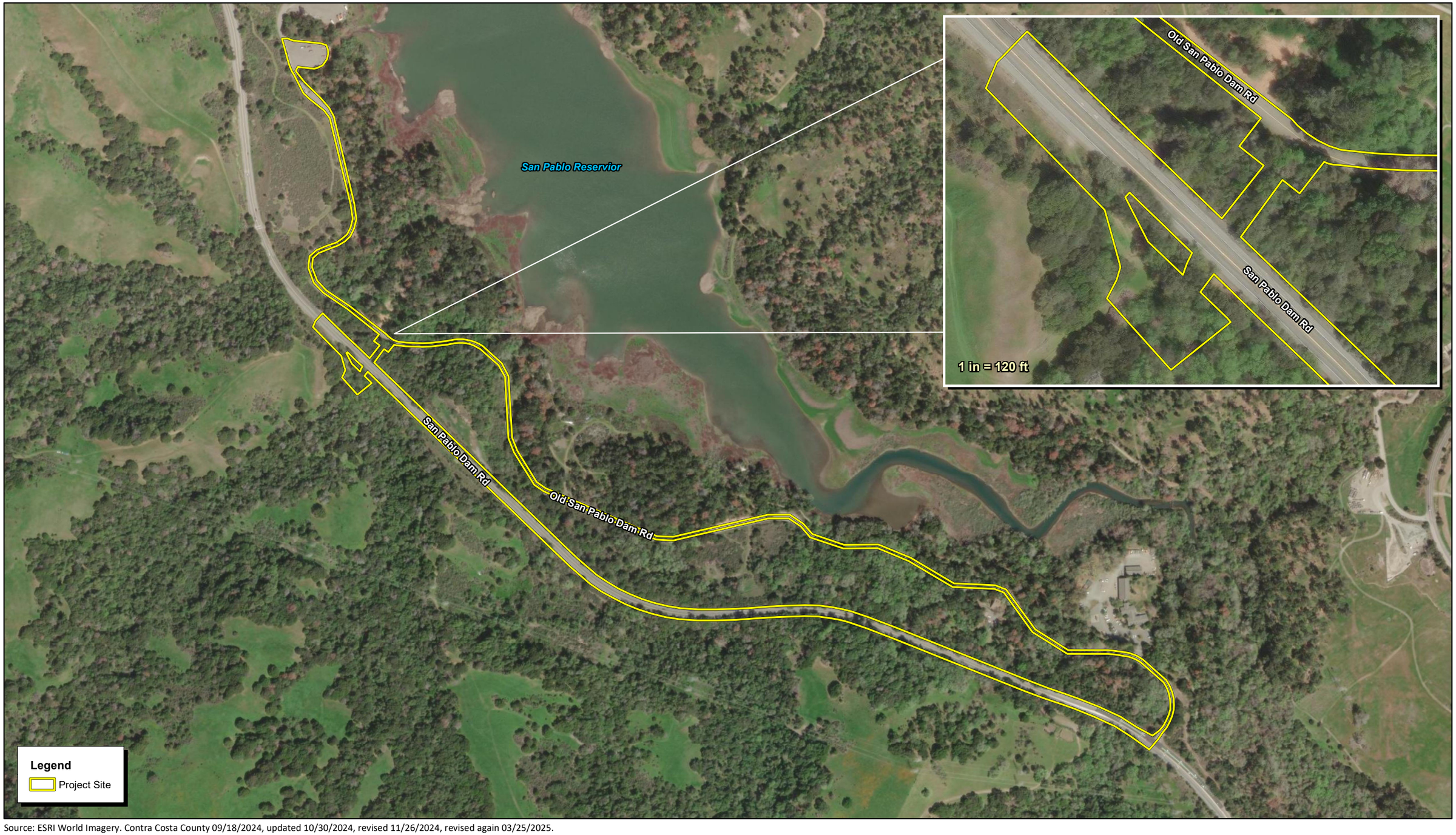
5 2.5 0 5 Miles

Figure 1
Regional Location Map

26480010 • 09/2025 | 1_regional.mxd

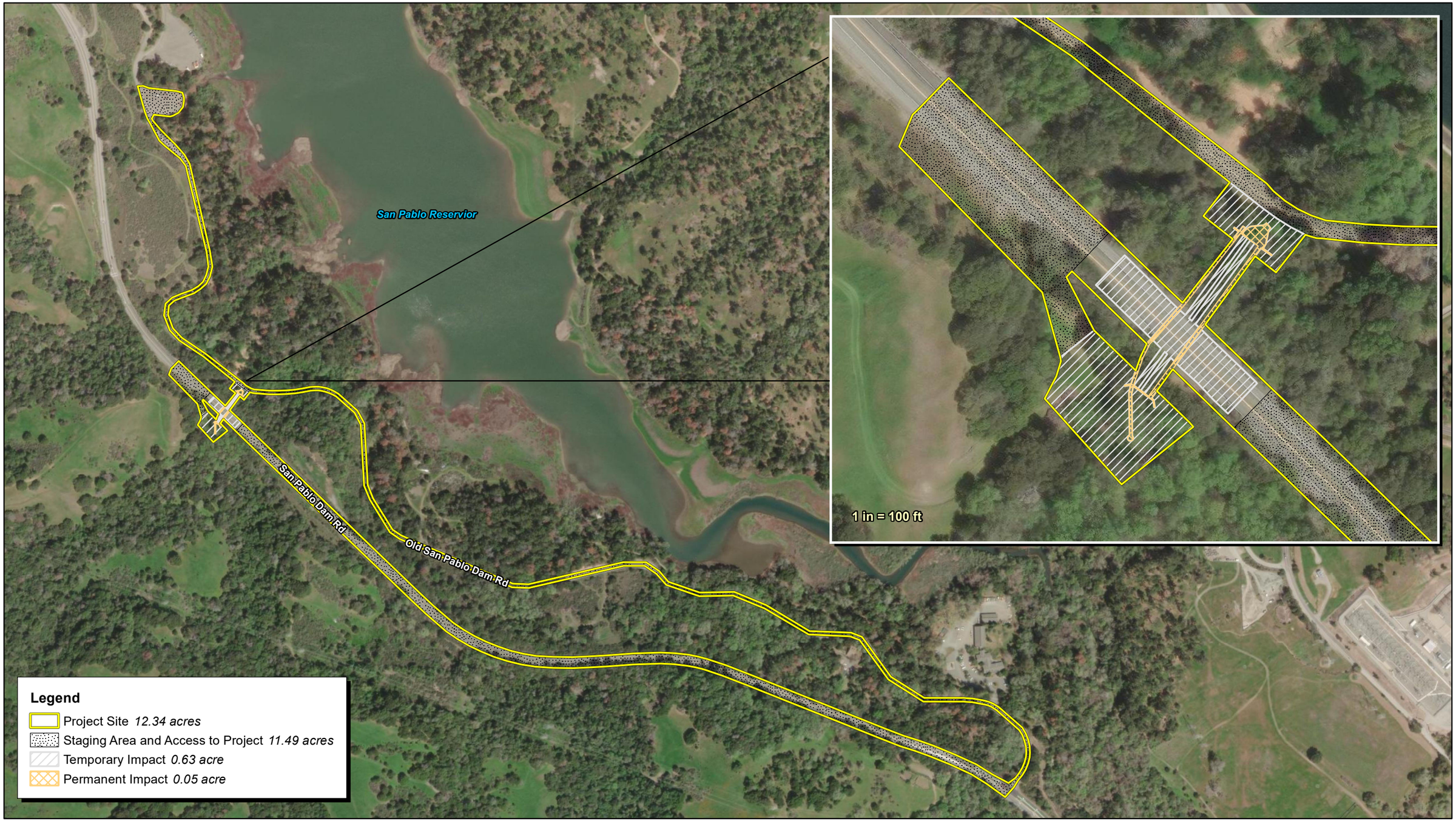


Source: ESRI World Imagery. Contra Costa County 09/18/2024, updated 10/30/2024, revised 11/26/2024, revised again 03/25/2025.

FIRSTCARBON SOLUTIONS™

500 250 0 500 Feet

Figure 2
Local Vicinity Map

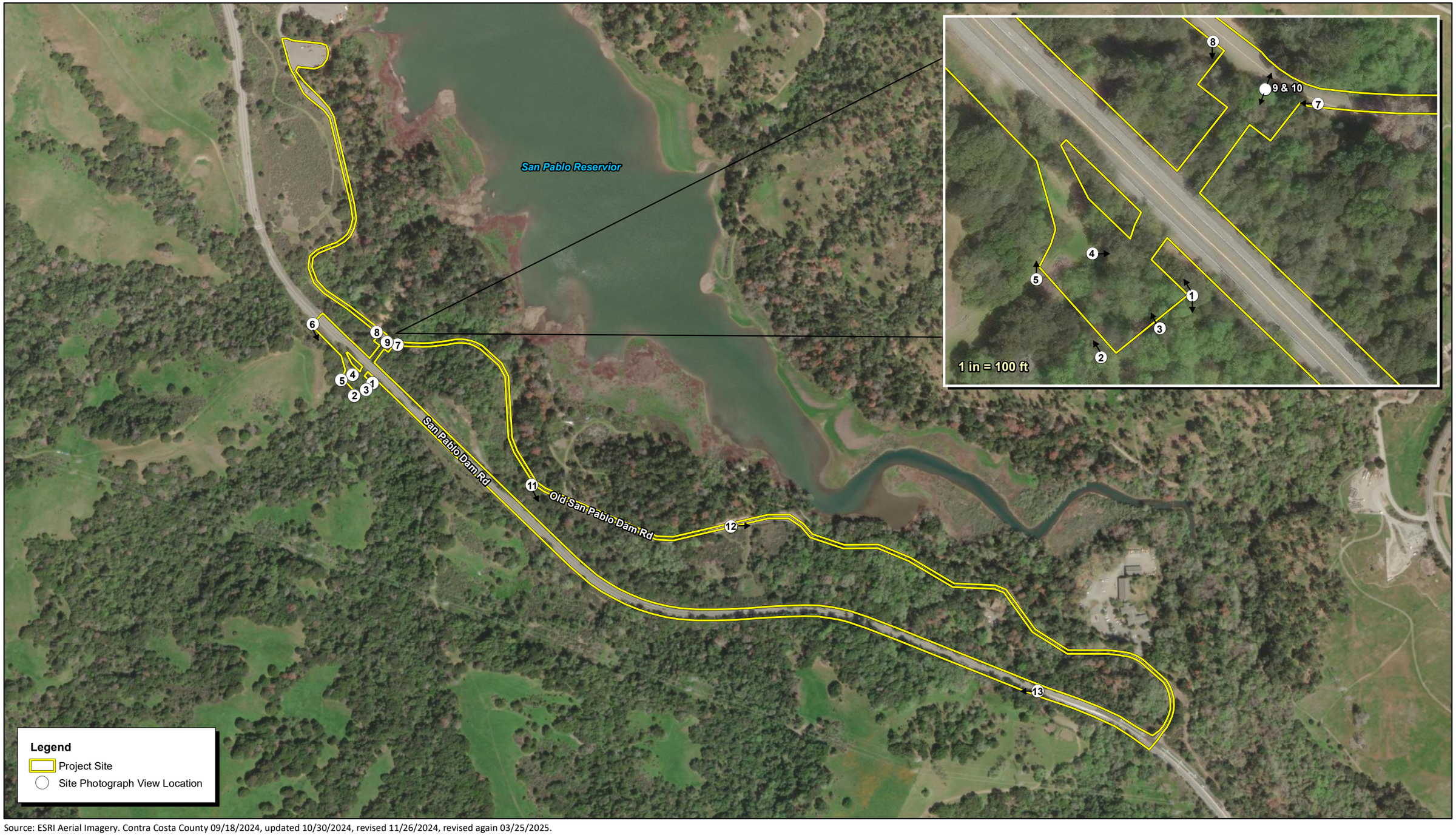


Source: ESRI Aerial Imagery. Contra Costa County 09/18/2024, updated 10/30/2024, revised 11/26/2024, revised again 03/25/2025.

FIRSTCARBON SOLUTIONS™

500 250 0 500 Feet

Figure 3
Impact Area

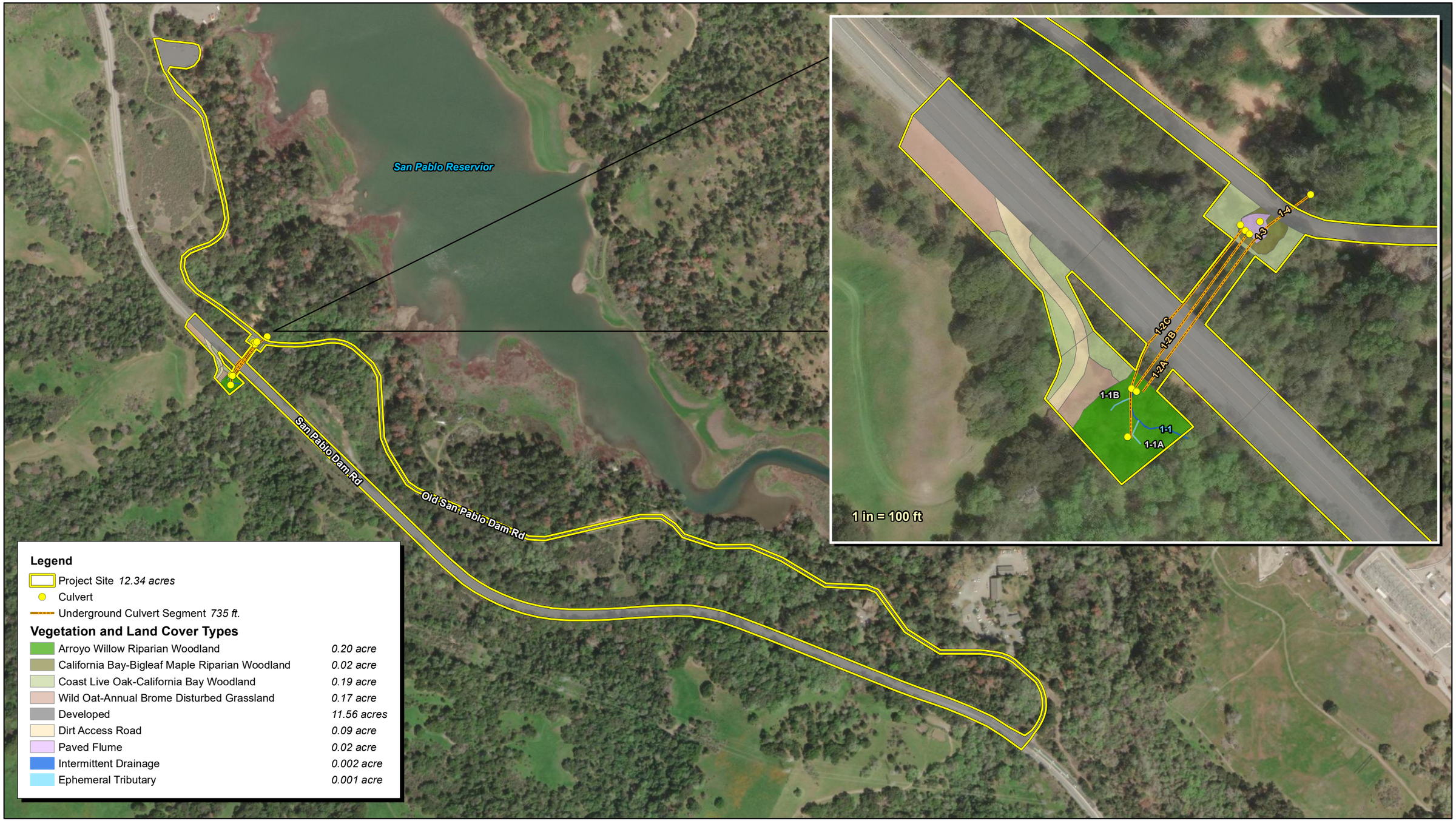


Source: ESRI Aerial Imagery. Contra Costa County 09/18/2024, updated 10/30/2024, revised 11/26/2024, revised again 03/25/2025.

FIRSTCARBON SOLUTIONS™

500 250 0 500 Feet

Figure 4
Site Photograph Location Map



Source: ESRI Aerial Imagery. Contra Costa County 09/18/2024, updated 10/30/2024, revised 11/26/2024, revised again 03/25/2025.

FIRSTCARBON SOLUTIONS™

500 250 0 500 Feet

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Figure 5
Vegetation and Land Cover Types

Environmental Factors Potentially Affected					
The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.					
☐	Aesthetics	☐	Agriculture and Forestry Resources	☒	Air Quality
☒	Biological Resources	☒	Cultural Resources	☐	Energy
☒	Geology/Soils	☐	Greenhouse Gas Emissions	☒	Hazards & Hazardous Materials
☐	Hydrology/Water Quality	☐	Land Use/Planning	☐	Mineral Resources
☐	Noise	☐	Population/Housing	☐	Public Services
☐	Recreation	☐	Transportation	☒	Tribal Cultural Resources
☐	Utilities/Services Systems	☒	Wildfire	☐	Mandatory Findings of Significance

Environmental Determination

On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that, although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Syd Sotoodeh — December 2, 2025

Syd Sotoodeh
Senior Planner
Contra Costa County
Department of Conservation & Development

Date

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
1. *AESTHETICS–* *Except as provided in Public Resources Code Section 21099,* **would the project:**				
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic building within a State Scenic Highway?	☐	☐	☒	☐
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☒	☐
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

SUMMARY:

a) Would the project have a substantial adverse effect on a scenic vista?

Less Than Significant Impact: The General Plan Conservation, Open Space, and Working Lands Element defines scenic vistas as scenic ridges. Scenic ridgeways are identified in the 2045 General Plan for preservation purposes, with the Wildcat Canyon Road scenic ridgeline approximately 0.7 mile west of the project site. As determined by General Plan Policy COS-P12.3, development within 100 vertical feet of the top of designated scenic ridges and within 50 vertical feet of other visually prominent ridgelines is prohibited. The project site is not located on the Wildcat Canyon Road ridgeline and views of the ridgeline are not present from the project site. Further, the 0.7 mile distance from the proposed project site to Wildcat Canyon Road meets requirements under Policy COS-P12.3. The ridgeline is located southwest of the project site, and the project site may be visible from sporadic points along the ridgeline from the west, as well as other scenic vantage points to the east, including hiking trails managed by EBMUD and the San Pablo Reservoir.

While the proposed project would not construct any new structures, it would remove approximately 27 existing trees on the project site, which could diminish existing tree cover of San Pablo Dam Road and adjacent power lines from the east and could degrade the scenic quality of the ridgeline. However, the proposed project would not remove all trees within the project area and, as such, there would still be remaining trees to provide coverage of existing infrastructure. In compliance with 2045 General Plan Policy COS-P12.4, there would be no unnecessary vegetation removal in relation to the proposed project. Thus, views of the project site from the west are not anticipated to be substantially altered, as trees would remain. Further, the project site would be restored through hydroseeding of all disturbed areas and replacement planting of native trees after repair and installation of the culvert system is completed. With the revegetation of native species, including trees, the proposed project would not have a substantial adverse effect on a scenic vista, and impacts would be less than significant.

b) *Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic building within a State Scenic Highway?*

Less Than Significant Impact: The project site is not located in proximity to any Officially Designated or Eligible State Scenic Highways. The closest eligible State Scenic Highway is SR-24 in Orinda, California, approximately 3.4 miles south of the project site. The proposed project is not visible from SR-24 due to its distance and intervening development.

Although the proposed project would not damage scenic resources within a State Scenic Highway, the General Plan Conservation, Open Space, and Working Lands Element identifies locally significant scenic routes as public roadways that pass through picturesque natural landscapes, typically offering sweeping views of valleys or mountain ranges. 2045 General Plan Figure COS-12, Scenic Resources, identifies San Pablo Dam Road as a County-designated scenic route. The General Plan requires projects with the potential to significantly impact public views along a scenic route designated by the County to undergo a visual impact analysis (Policy COS-P12.8). The proposed project would restore views along the public right-of-way within San Pablo Dam Road through replanting of native vegetation, including trees, following construction.

Since the proposed project is not located on or adjacent to a State Scenic Highway and would restore the San Pablo Dam Road segment with new infrastructure and vegetation, the proposed project would not substantially damage scenic resources within a State Scenic Highway or a County-designated scenic route. Therefore, the proposed project would have a less than significant impact on State Scenic Highways or any locally designated scenic routes.

c) *In non-urbanized areas, would the project substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?*

Less Than Significant Impact: The proposed project is located in unincorporated Contra Costa County and surrounded by undeveloped land intended for agricultural uses, recreational uses, and watershed management by EBMUD. As such, the proposed project is not located in an urbanized area and impacts pertaining to the visual character or quality of public views are assessed.

The proposed project is visible from public hiking trails managed by EBMUD that provide public views of the San Pablo Reservoir and hillsides to the east. Construction activities and tree removal could degrade the existing visual character and quality of public views by exposing San Pablo Dam Road and other utilities on the eastern side of the project site. However, the proposed project would not remove all trees within the project area. Because of the location of proposed tree removals and the relatively small project area, views of the project site from the west are not anticipated to be substantially altered as trees would remain. Thus, there would still be remaining trees to provide coverage of existing infrastructure. Additionally, the proposed project would be consistent with existing uses on the project site and would not introduce any new structures. Following completion of construction activities, the project site would be revegetated, including the replanting of trees, and returned to existing conditions. Therefore, the proposed project would not degrade the existing visual character or quality of public views and impacts would be less than significant.

d) *Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?*

Less Than Significant Impact: The project site is in an undeveloped area with minimal sources of light and glare. Existing sources of light and glare in the vicinity of the project site include vehicular traffic along San Pablo Dam Road. Although the proposed project would not install any stationary sources of light, construction activities could implement temporary construction lighting. In addition, construction of the proposed project would introduce temporary sources of light and glare from construction equipment, parked vehicles from construction workers, and encroachments onto San Pablo Dam Road. However, construction of the proposed project would be required to abide by California Code of Regulations Title 8, Section 1523 which contains nighttime highway construction lighting requirements, such as limiting lighting to an intensity intended to only cover the work zone while minimizing glare, such as installing temporary screens with mounted lamps below the top of the screen.

Operation of the proposed project would not result in new sources of light or glare, as the proposed project would not introduce any new structures, streetlights, or alter existing traffic conditions in a manner that could generate new or exacerbate sources of light and glare. Therefore, the proposed project would have a less than significant impact on light and glare.

Sources of Information

California Department of Transportation (Caltrans). Scenic Highways: California State Scenic Highways. Website: https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways. Accessed August 13, 2025.

Contra Costa County. 2045 General Plan. Chapter 4: Land Use Element. Website: https://www.contracosta.ca.gov/DocumentCenter/View/84934/Chapter-4---Land-Use-Element-PDF. Accessed August 13, 2025.

Contra Costa County. 2045 General Plan. Chapter 2: Planning Context. Website: https://www.contracosta.ca.gov/DocumentCenter/View/84932/Chapter-2---Planning-Context-PDF. Accessed August 13, 2025.

Contra Costa County. 2045 General Plan. Chapter7: Conservation, Open Space, and Working Lands Element. Website: https://www.contracosta.ca.gov/DocumentCenter/View/84948/Chapter-7--Conservation-Open-Space-and-Working-Lands-Element-PDF. Accessed August 13, 2025.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
2. *AGRICULTURAL AND FOREST RESOURCES–Would the project:*				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act Contract?	☐	☐	☐	☒
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g)?	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e) Involve other changes in the existing environment, which due to their location or nature, could result in conversion of farmland, to nonagricultural use?	☐	☐	☐	☒

SUMMARY:

a) *Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use?*

No Impact: The project site is located in an undeveloped area. The project is designated as Grazing Land on the California Important Farmland Map and is not considered Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. For this reason, the proposed project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to nonagricultural use. No impact would occur.

b) Would the project conflict with existing zoning for agricultural use, or a Williamson Act Contract?

No Impact: The project site is zoned as Exclusive Agricultural District (A-80) and is not under a Williamson Act Contract, as indicated by the State of California GIS Property Assessment interactive mapping tool. The proposed project is limited to repair and improvement of existing storm drainage infrastructure and would not introduce land uses that would conflict with the existing zoning. As such, the proposed project would not conflict with agricultural zoning or with a Williamson Act Contract. No impact would occur.

c) Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g) or conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g), timberland (as defined by Public Resources Code

Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g)?

No Impact: The project site is zoned as A-80, and is not zoned as forest land, timberland, or timberland zoned Timberland production. Therefore, the proposed project would not conflict with existing zoning or cause rezoning of forest land, timberland, or timberland zoned Timberland Production. No impact would occur.

d) *Would the project involve or result in the loss of forest land or conversion of forest land to non-forest use?*

No Impact: As described above in Impact 2(c), the project site is not zoned as forest land. The project site does not contain, nor is it adjacent to forest land. Therefore, the proposed project would not result in a loss of forest land or a conversion of forest land to non-forest uses. As such, no impact would occur.

e) *Would the project involve other changes in the existing environment, which due to their location or nature, could result in conversion of farmland, to nonagricultural use?*

No Impact: Although the project site is located within an area zoned for agriculture, the primary uses in the surrounding area are grazing or recreation. There is no Prime Farmland, Unique Farmland, or Farmland of Statewide Importance in the vicinity. The project site is not zoned for forestry-related uses, nor is the project site forested. The proposed project would not result in the conversion of farmland to nonagricultural use or conversion of forest land to non-forest use. No impact would occur.

Sources of Information

Contra Costa County Code. Title 8 – Zoning. Website: https://library.municode.com/ca/contra_costa_county/codes/ordinance_code?nodeId=TIT8ZO. Accessed August 12, 2025.

California Department of Conservation. California Important Farmland Finder. Website: https://maps.conservation.ca.gov/DLRP/CIFF/. Accessed August 12, 2025.

State of California. 2024. Williamson Act Enrollment Finder. Website: https://maps.conservation.ca.gov/dlrp/WilliamsonAct/App/. Accessed July 9, 2025.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
3. *AIR QUALITY–Would the project:*				
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or State ambient air quality standard?	☐	☒	☐	☐
c) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☒	☐

SUMMARY:

a) *Would the project conflict with or obstruct implementation of the applicable air quality plan?*

Less Than Significant Impact: Contra Costa County is within the San Francisco Bay Air Basin (SFBAAB), which is regulated by the Bay Area Air Quality Management District (Bay Area Air District). The most currently adopted Air Quality Plan (AQP) is the *Spare the Air, Cool the Climate Final 2017 Clean Air Plan* (2017 Clean Air Plan). The purpose of the 2017 Clean Air Plan is to bring the SFBAAB into compliance with the requirements of federal and State air quality standards and to protect the climate through the reduction of criteria pollutants and greenhouse gas (GHG) emissions.

Air quality is also regulated by the County through its 2045 General Plan. The following policies related to air quality are contained within the 2045 General Plan, Health and Safety Element, and are relevant and applicable to the proposed project and will be required to be implemented. Implementation of these policies would help to reduce air pollutant emissions associated with the proposed project:

HS-P1.2 Prioritize participation in emission and exposure reduction, public education, engagement, outreach, and other programs that promote improved air quality, focusing on Impacted Communities.

HS-P1.9 Require construction activities that involve large grading operations to implement additional construction measures identified in Bay Area Air District CEQA Guidelines to reduce air pollutant emissions.

PS-P1.10 Prohibit nonessential diesel engine idling countywide and nonessential idling of all vehicles within 100 feet of sensitive receptors.

A project would be determined to conflict with or obstruct the 2017 Clean Air Plan implementation if it would result in substantial new regional emissions not foreseen in the air quality planning process. The Bay Area Air District's 2022 CEQA Guidelines outline the following criteria that should be used for determining a project's consistency with the AQP.

- Does the project support the primary goals of the AQP?
- Does the project include applicable control measures from the AQP?
- Does the project disrupt or hinder implementation of any AQP control measures?

Primary Goals of the AQP

The primary goals of the 2017 Clean Air Plan are to attain air quality standards, reduce population exposure to unhealthy air and protect the public health in the Bay Area, and reduce GHG emissions and protect the climate.

The proposed project would not introduce ongoing sources of operational-related air pollutant emissions. Project compliance with CEQA pollutant emission thresholds is a test of consistency with 2017 Clean Air Plan air quality control strategies and noninterference with the attainment of 2017 Clean Air Plan goals. As discussed under Impact 3(b), the proposed project's construction-related emissions would not exceed Bay Area Air District CEQA significance thresholds for the Bay Area's nonattainment pollutants. Therefore, the proposed project would not impede the region's ability to attain air quality standards.

The proposed project would not introduce ongoing sources of operation-related toxic air contaminant (TACs) or diesel particulate matter (DPM) emissions. Furthermore, as discussed in Impact 3(c), the proposed project would not expose nearby sensitive populations to TACs or DPM emissions during construction because there are no sensitive receptors within close proximity to the proposed project.

Finally, the Contra Costa County Climate Action and Adaptation Plan (CAAP) establishes a framework to reduce GHG emissions 40 percent below 1990 levels by 2030 and prepare for climate-related hazards. The proposed project aligns with several CAAP goals and policies, particularly those focused on infrastructure resilience, low-emission construction practices, and environmental stewardship. The CAAP includes incentives for construction equipment upgrades and other strategies to reduce emissions of construction vehicles on a plan level; while not directly applicable to the proposed project, overall, the CAAP encourages the use of low-emission construction equipment (Policy TR-2). In addition, the CAAP seeks to protect and restore natural stormwater systems (Policy IS-2) and minimize vegetation loss and require revegetation with native species (Policy OS-1). The CAAP also incorporates erosion and runoff control measures (Policy IS-4). Overall, the proposed project's trenchless methods, revegetation plan, and storm-resilient culvert design support the County's climate adaptation priorities while also complying with broader GHG reduction strategies. The CAAP focuses on reducing long-term operational emissions from land use, energy, and transportation. After its construction is complete, the proposed project will not include any new pollutant emission sources, nor require energy from external sources or transportation resources for its operation. Thus, it would have no effect on land use, energy, transportation or other assumptions that underlie the CAAP. Accordingly, the proposed project is consistent with the County's CAAP.

Therefore, the proposed project is consistent with the first criterion in demonstrating consistency with the 2017 Clean Air Plan.

Applicable Control Measures

The 2017 Clean Air Plan contains 85 control measures that describe specific actions to reduce air pollutants and GHGs at the local, regional, and global levels. Stationary source control measures are implemented via Bay Area Air District's permitting program and enforcement of the Bay Area Air District Rules and Regulations. Along with the traditional stationary, area, mobile source, and transportation control measures, the 2017 Clean Air Plan contains several control measures designed to protect the climate.

To establish compliance with the Clean Air Plan, the proposed project would be required to comply with applicable Clean Air Plan control measures. The only measures relevant and applicable to the proposed project are SS36: Particulate Matter from Trackout and SS38: Fugitive Dust.

The proposed project would comply with the above control measures as specified below:

For consistency with Clean Air Plan Measure SS36 and SS38 and to ensure the implementation of policies within the County General Plan, the proposed project would implement Mitigation Measure (MM) AQ-1 which would require the implementation of Bay Area Air District's Best Management Practices (BMPs) to reduce fugitive dust and air pollutant emissions during construction.

Accordingly, the proposed project would comply with all applicable measures under the 2017 Clean Air Plan with implementation of mitigation and is therefore consistent with criteria two as set forth by Bay Area Air District.

Hindrance of Implementation of AQP Control Measures

The proposed project involves the repair of the existing dual 72-inch corrugated metal pipe as a result of 2023 winter storms. It would not preclude extension of a transit line or bike path, propose excessive parking beyond parking requirements, or otherwise create an impediment or disruption to implementing any AQP control measures. The proposed project is construction-only and would not result in parking or parking requirements or ongoing sources of air pollutant emissions. Therefore, the proposed project would not disrupt or hinder the implementation of any AQP control measures.

The proposed project would comply with all applicable measures under the 2017 Clean Air Plan and is therefore consistent with the third criterion as set forth by Bay Area Air District.

As addressed above, the proposed project would not conflict with or obstruct implementation of the 2017 Clean Air Plan and meets all three criterion set out by Bay Area Air District for demonstrating consistency, and impacts would be less than significant.

b) *Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or State ambient air quality standard?*

Less Than Significant Impact With Mitigation Incorporated: A potential impact would occur if the proposed project results in exceedances of State or federal standards for ozone precursors reactive organic gases (ROG), nitrogen oxide (NO_X), particulate matter less than 10 microns in diameter (PM_{10}) and particulate matter less than 2.5 microns in diameter ($PM_{2.5}$), of which the

SFBAAB is in nonattainment. NO_X and ROG emissions are of concern during construction because of their participation in the formation of ground level ozone—for which the SFBAAB is also in nonattainment. PM_{10} and $PM_{2.5}$ are of concern during construction because of potential exhaust emissions from the operation of off-road construction equipment and fugitive dust during demolition and earth-disturbing activities (construction fugitive dust).

The significance criteria recommended by the Bay Area Air District were used to make the following CEQA significance determinations. The Bay Area Air District has adopted standards of significance for criteria pollutants that could occur during construction and operation. The thresholds of significance are shown in Table 1. Therefore, a project that would not exceed the Bay Area Air District thresholds of significance on an individual project level also would not be considered to result in a cumulatively considerable contribution to these regional air quality impacts. The proposed project's construction and operational emissions are discussed separately below.

Construction Fugitive Dust Emissions

Construction emissions from the proposed project would be "short-term" or temporary in nature and duration. Construction of the proposed project would result in the temporary generation of ROG, NO_X, PM_{10}, and $PM_{2.5}$ emissions from construction activities including site preparation, demolition, grading, trenchless culvert installation, grouting, concrete work, and roadway rehabilitation.

Fugitive dust emissions are primarily associated with demolition, earth disturbance and grading activities and vary as a function of soil silt content, soil moisture, wind speed, acreage of disturbance area, and miles traveled by construction vehicles on-site and off-site. Construction-related activities, such as soil disturbance, grading, demolition, and material delivery and hauling resulting in fugitive dust emissions such as $PM_{2.5}$ and PM_{10}, are recognized to impact local communities. The Bay Area Air District does not have a numerical threshold of significance for fugitive dust particulate matter emissions. Instead, the Bay Area Air District bases the determination of significance for fugitive dust on whether feasible and effective control measures are implemented.

The Bay Area Air District recommends implementing basic construction measures for all projects regardless of emissions. Therefore, to further reduce emissions, implementation of MM AQ-1, provided below, would include Bay Area Air District-recommended measures for the control of short-term emissions and basic fugitive dust BMPs to assure that ambient particulate standards are not exceeded at local sensitive receptors during project construction. Therefore, the proposed project would have a less than significant impact related to short-term construction fugitive dust emissions with implementation of MM AQ-1.

Construction Exhaust Emissions: ROG, NO_X, PM_{10}, and $PM_{2.5}$

Construction-related NO_X, PM_{10}, and $PM_{2.5}$ emissions are primarily generated by exhaust emissions (running and idling) from off-road heavy-duty construction equipment, on-road material delivery and haul trucks, and construction worker vehicles. ROG emissions are mainly generated by off-gas emissions associated with architectural coatings and asphalt paving.

Construction emissions were quantified and estimated using California Emissions Estimator Model (CalEEMod) Version 2022.1 for a typical construction scenario for a construction project of this size and incorporating appropriate project-specific information. CalEEMod provides a consistent platform for estimating construction and operational emissions from a wide variety of land use projects and is the model recommended by the Bay Area Air District for estimating project emissions. Construction emissions were estimated and compared with the applicable thresholds of significance established by the Bay Area Air District to assess ROG, NO_X, exhaust PM_{10}, and exhaust $PM_{2.5}$ construction emissions to determine significance for this criterion.

The following project characteristics and assumptions were utilized in the CalEEMod analysis:

- Construction activities are anticipated to begin in July 2026 and last approximately 115 days. Because fuels and equipment fleets become cleaner over time, construction-related emissions decrease over time as well. Therefore, if construction begins in later months or years, construction-related emissions would be lower than when modeled to occur in earlier years; thus, the July 2026 assumed start date is considered conservative.

- Approximately 27 trees would be removed (which would be associated with 16 one-way vendor truck trips during the site preparation phase).

- It was estimated that approximately 10,000 cubic yards of concrete would be demolished (which represents a worst-case, conservative scenario).

- CalEEMod default assumptions for equipment were supplemented with equipment to be used as described in the Project Description, including, but not limited to: excavators, graders, scrapers, loaders, sweepers/scrubbers, plate compactors, vibratory compactors, rollers, backhoes, cranes, drill rigs, concrete pump trucks, generators, water trucks, storage/sedimentation tanks, and pavers. Portable construction trailers (portable office structure), pneumonic hammer, and a jack and bore machine would also be placed at each site. Dewatering equipment would be used, including, but not limited to: coffer dams, pumps, and bypass lines. The modeling assumed use of average tier engines in construction equipment which represents a conservative scenario, and emissions would likely be lower than what is shown in Table 1.

The modeling assumed implementation of the Bay Area Air District Basic Construction BMPs for fugitive dust control.

Additional details on the assumptions and inputs are included in the CalEEMod output reports (Appendix A).

Table 1 shows the proposed project's average daily emissions from construction-related exhaust emissions. As indicated in Table 1, construction exhaust emissions from all construction activities would be below the recommended thresholds of significance for emissions of ROG, NO_X, exhaust PM_{10}, and exhaust $PM_{2.5}$; therefore, impacts would be less than significant.

Table 1: Regional Criteria Pollutant Exhaust Emissions–Project Construction

Average Daily	Air Pollutants (lbs/day)				
	Year	ROG	NO_X	PM_{10} (Exhaust)	$PM_{2.5}$ (Exhaust)
Project Construction (Average daily emissions)	2026	1.58	12.71	0.48	0.44
Significance Threshold (lbs/day)		**54**	**54**	**82**	**54**
Exceeds Significance Threshold?		**No**	**No**	**No**	**No**

Notes:
lbs = pounds
NO_X = oxides of nitrogen
PM_{10} = particulate matter less than 10 microns in diameter
$PM_{2.5}$ = particulate matter less than 2.5 microns in diameter
ROG = reactive organic gases
Emissions were calculated by dividing the pounds of emissions by the number of non-overlapping working days of construction (115 workdays).
Assumes implementation of MM AQ-1 for dust control.
Source: California Emissions Estimator Model (CalEEMod) Output (see Appendix A).

Potential Impacts:

The Bay Area Air District recommends implementing basic construction measures for all projects regardless of emissions. Therefore, the proposed project would implement MM AQ-1 for the control of short-term emissions and basic fugitive dust BMPs, to assure that ambient particulate standards are not exceeded at local sensitive receptors during project construction and that impacts would remain less than significant.

MM AQ-1 Implement Bay Area Air District Basic Construction Best Management Practices:

1) All exposed surfaces (e.g., parking areas, staging areas, graded areas, and unpaved access roads) shall be watered two times per day.
2) All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
3) All visible mud or dirt trackout onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
4) All vehicle speeds on unpaved roads shall be limited to 15 mph.
5) All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible.
6) Idling times shall be minimized either by shutting equipment off when not in use.
7) or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
8) All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.

9) Post a publicly visible sign with the telephone number and contact information for the designated on-site construction manager available to receive and respond to dust complaints. This person shall report all complaints to Contra Costa County and take immediate corrective action as soon as practicable but not more than 48 hours after the complaint is received. The Bay Area Air District phone number shall also be visible to ensure compliance with applicable regulations.

c) Would the project expose sensitive receptors to substantial pollutant concentrations?

Less Than Significant Impact. The Bay Area Air District recommends that potential health risks to nearby sensitive receptors from TAC and/or DPM emissions during the proposed project's construction and operation be evaluated. Sensitive receptors may include children, elderly, and those with compromised immune systems. Sensitive receptor locations are places where these individuals commonly gather or reside, including hospitals and healthcare facilities, schools and daycare centers, senior centers and nursing homes, and residential areas. According to the Bay Area Air District, a proposed project should identify and assess potential health risks to sensitive receptors located within 1,000 feet of a proposed project's fence line.

The proposed project is not associated with any ongoing sources of operational-related TAC and/or DPM emissions. There are no sensitive receptors within 1,000 feet of the construction area. In addition, construction-related emissions are inherently short-term and intermittent, typically occurring only during active phases of site preparation, grading, and building. These emissions (primarily from diesel-powered equipment and dust-generating activities) are temporary and diminish significantly once construction is complete. Given the limited duration and the implementation of dust mitigation measures required by Bay Area Air District Basic Construction BMPs such as dust suppression and equipment idling restrictions, the potential for long-term exposure to harmful pollutants is minimal. As a result, construction emissions are not expected to pose a significant health risk to nearby sensitive receptors and impacts would be less than significant.

d) Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Less Than Significant Impact: The ability to detect odors varies considerably among the population and can be subjective. People may have different reactions to the same odor. Quality and intensity are two properties present in any odor. The quality of an odor indicates the nature of the smell experience. Odor intensity depends on the concentration in the air. When an odor sample is progressively diluted, the odor concentration decreases. As this occurs, the odor intensity weakens and eventually becomes so low that detection or recognition of the odor is quite difficult. At some point during dilution, the concentration of the odor reaches a level that is no longer detectable.

According to Bay Area Air District 2022 CEQA Guidelines, odor impacts could occur if the proposed project introduces a new odor source near existing receptors. The presence of an odor impact is dependent on several variables, including the nature of the odor, the frequency of odor generation, the intensity of odor, the distance of the odor source to sensitive receptors, the wind direction and the sensitivity of the receptor.

If the proposed project would be an odor-generating facility, then the Bay Area Air District provides a list of recommended odor screening distances for evaluating potential odor impacts. The Bay Area Air District does not indicate that temporary construction projects are odor-generating facilities.

Potential sources that may emit odors during the proposed project's construction activities include exhaust from diesel construction equipment. There are no sensitive receptors within 1,000 feet of the construction area. In addition, the construction activities would be temporary in nature, intermittent in duration, and highly diffusive. Odors from these sources would be localized and generally confined to the immediate area surrounding the project site. The proposed project would utilize typical construction techniques, and the odors would be typical of most construction sites and temporary in nature. Thus, the proposed project would not result in a new odor source adversely affecting a substantial number of nearby existing receptors. Furthermore, the proposed project is construction-only and would not include any ongoing sources of odors. Impacts would be less than significant.

Sources of Information

CalEEMod Output Report, Appendix A.

Bay Area Air Quality Management District (Bay Area Air District). 2022. California Environmental Quality Act, Air Quality Guidelines. April. Website: https://www.baaqmd.gov/plans-and-climate/california-environmental-quality-act-ceqa/updated-ceqa-guidelines. Accessed August 12, 2025.

Bay Area Air Quality Management District (Bay Area Air District). 2017. Spare the Air, Cool the Climate. Final 2017 Clean Air Plan. April. Website: https://www.baaqmd.gov/~/media/files/planning-and-research/plans/2017-clean-air-plan/attachment-a_-proposed-final-cap-vol-1-pdf.pdf?la=en. Accessed August 12, 2025.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
4. *BIOLOGICAL RESOURCES–Would the project:*				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or United States Fish and Wildlife Service?	☐	☒	☐	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or United States Fish and Wildlife Service?	☐	☒	☐	☐
c) Have a substantial adverse effect on State or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of wildlife nursery sites?	☐	☒	☐	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☒	☐	☐
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State Habitat Conservation Plan?	☐	☐	☐	☒

FCS Biologist(s) evaluated potential Biological Resources for the San Pablo Dam Road Storm Drain Repair Project in September 2024 and April 2025, including a background review and reconnaissance field survey. A draft Natural Environmental Study (Minimal Impacts) (NESMI) was prepared by FCS in July 2025, and an Arborist Report was prepared by FCS in August 2025 (Appendix B). The comprehensive literature review included the evaluation of the California Department of Fish and Wildlife (CDFW), California Natural Diversity Database (CNDDB), a special-status species and plant community account database; the United States Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) system; and the California Native Plant Society (CNPS) Inventory of Rare Plants (CNPS Inventory) for the *Richmond*, *California* USGS 7.5-minute Topographic Quadrangle Map and the eight surrounding quadrangles (Appendix B) (CDFW 2025; CNPS 2025; USFWS 2025). The on-site assessment of biological resources within the project footprint and surrounding area (BSA), was completed by a qualified FCS Biologist and FCS Botanist on September 19, 2024, and April 22, 2025.

The following analysis is based on the results of the NESMI analysis of the BSA prepared by FCS in July 2025. Potential impacts to biological features within the project site are analyzed in this section. The BSA includes the project site and proposed staging areas. Nine biotic habitats and land cover types were identified within the 12.34-acre BSA, as shown in Table 2 below.

Table 2: Potential Temporary and Permanent Impacts by Biotic Habitat

Biotic Habitat/Land Use	Total Area (acres/LF)	Permanent Impacts (acres/SF)	Temporary Impacts (acres/SF)	Temporary Staging/ Access-Related Impacts (acres/LF)
Developed	11.56	0.01	0.20	11.23
Dirt access road	0.09	0	0.03	0.06
Wild oat-annual brome disturbed grassland	0.17	0	0.05	0.12
Coast live oak-California bay woodland	0.19	52 SF	0.11	0.08
California bay-big leaf maple riparian woodland	0.02	226 SF	0.02	0.00
Arroyo willow riparian woodland	0.20	0.01	0.19	0.00
Intermittent drainage	0.002	13 SF	74 SF	0
Ephemeral drainages	0.001	3 SF	53 SF	0
Underground culvert segments	735 LF	296 LF	417 LF	22 LF
Total Area	**12.34 acres**	**0.05 acre**	**0.63 acre**	**11.49 acres**

Notes:
LF = linear feet
SF = square feet
The remaining 0.087 acre/735 linear feet within the BSA account for the underground culvert segments that pass under San Pablo Dam Road.

SUMMARY:

a) Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or United States Fish and Wildlife Service?

Less Than Significant with Mitigation Incorporated:

Potential Special-status Plants: The Special-status Plant Species Habitat Value Evaluation Table (NESMI Table 2, Appendix B) provides a summary of the listing status, habitat requirements, and the potential for occurrence of other sensitive plant species that have been documented within the *Richmond, California* USGS 7.5-minute Topographic Quadrangle Map and the eight surrounding quadrangles.

A total of 67 special-status plant species were evaluated for their potential to occur within the proposed project site. Of the 67 species evaluated, six special-status plants have the potential to occur: bent-flowered fiddleneck (*Amsinckia lunaris*) (California Rare Plant Rank [CRPR] 1B.2), Mt. Diablo fairy-lantern (*Calochortus pulchellus*) (CRPR 1B.2), Oakland star-tulip (*Calochortus umbellatus*) (CRPR 4.2), Franciscan thistle (*Cirsium andrewsii*) (CRPR 1B.2), western leatherwood (*Dirca occidentalis*) (CRPR 1B.2), and fragrant fritillary (*Fritillaria liliacea*) (CRPR

1B.2). There would be no decrease in the suitable habitat in the project footprint where these plant species could be established. The areas disturbed by construction would be re-seeded with a native seed mix after construction but would remain in a similar condition as marginally suitable habitat for these species. These species are discussed in further detail below.

Bent-flowered Fiddleneck

The bent-flowered fiddleneck is an annual herb found in cismontane woodland, coastal bluff scrub, and valley and foothill grassland. The project site contains oak woodland and riparian woodland, which is marginally suitable habitat for bent-flowered fiddleneck. According to the CNDDB, one recent occurrence was recorded within 1 mile of the project site. No special-status plants were found during the reconnaissance-level survey. Because of the previous disturbance, it is presumed that bent-flowered fiddleneck is absent from the BSA. Out of an abundance of caution, rare plant surveys would be carried out between March through June by the proposed project, to ensure that no significant impact to bent-flowered fiddleneck would occur (MM BIO-1a). Therefore, the proposed project would not have a substantial adverse effect to bent-flowered fiddleneck and impacts would be less than significant under CEQA Guidelines.

Mt. Diablo Fairy-lantern

The Mt. Diablo fairy-lantern is a perennial bulbiferous herb found in chaparral, cismontane woodland, riparian woodland, and valley and foothill grassland. The project site contains oak woodland and riparian woodland, which is marginally suitable habitat for Mt. Diablo fairy-lantern. According to the CNDDB, four occurrences were recorded within 10 miles of the project site. No special-status plants were found during the reconnaissance-level survey. Because of the previous disturbance, it is presumed that Mt. Diablo fairy-lantern is absent from the BSA. Out of an abundance of caution, rare plant surveys would be carried out between April through June by the proposed project, to ensure that no significant impacts to Mt. Diablo fairy-lantern would occur (MM BIO-1a). Therefore, the proposed project would not have a substantial adverse effect to Mt. Diablo fairy-lantern and impacts would be less than significant under CEQA Guidelines.

Oakland Star-tulip

The Oakland star-tulip is a perennial bulbiferous herb found in broadleafed upland forest, chaparral, cismontane woodland, lower montane coniferous forest, and valley and foothill grassland. The project site contains oak woodland and riparian woodland, which is marginally suitable habitat for Oakland star-tulip. According to the CNDDB, six occurrences were recorded within 5 miles of the project site. No special-status plants were found during the reconnaissance-level survey. Because of the previous disturbance, it is presumed that Oakland star-tulip is absent from the BSA. Out of an abundance of caution, rare plant surveys would be carried out between March through May by the proposed project, to ensure that no significant impacts to Oakland star-tulip would occur (MM BIO-1a). Therefore, the proposed project would not have a substantial adverse effect to Oakland star-tulip and impacts would be less than significant under CEQA Guidelines.

Franciscan Thistle

Franciscan thistle is a perennial herb found in broadleafed upland forest, coastal bluff scrub, coastal prairie, and coastal scrub. The project site contains oak woodland and riparian woodland, which is marginally suitable habitat for Franciscan thistle. According to the CNDDB, two

occurrences were recorded within 1 mile of the project site. No special-status plants were found during the reconnaissance-level survey. Because of the previous disturbance, it is presumed that Franciscan thistle is absent from the BSA. Out of an abundance of caution, rare plant surveys would be carried out between March through July by the proposed project, to ensure that no significant impacts to Franciscan thistle would occur (MM BIO-1a). Therefore, the proposed project would not have a substantial adverse effect to Franciscan thistle and impacts would be less than significant under CEQA Guidelines.

Western Leatherwood

Western leatherwood is a perennial deciduous shrub found in broadleafed upland forest, chaparral, cismontane woodland, closed-cone coniferous forest, North Coast coniferous forest, riparian forest, and riparian woodland. The project site contains oak woodland and riparian woodland, which is marginally suitable habitat for western leatherwood. According to the CNDDB, several occurrences were recorded within 5 miles of the project site. No special-status plants were found during the reconnaissance-level survey. Because of the previous disturbance, it is presumed that western leatherwood is absent from the BSA. Out of an abundance of caution, rare plant surveys would be carried out between November through March by the proposed project, to ensure that no significant impacts to western leatherwood would occur (MM BIO-1a). Therefore, the proposed project would not have a substantial adverse effect to western leatherwood and impacts would be less than significant under CEQA Guidelines

Fragrant Fritillary

The fragrant fritillary is a perennial bulbiferous herb found in cismontane woodland, coastal prairie, coastal scrub, and valley and foothill grassland. The project site contains oak woodland and riparian woodland, which is marginally suitable habitat for fragrant fritillary. According to the CNDDB, two occurrences were recorded within 5 miles of the project site. No special-status plants were found during the reconnaissance-level survey. Because of the previous disturbance, it is presumed that fragrant fritillary is absent from the BSA. Out of an abundance of caution, rare plant surveys would be carried out by the proposed project to ensure that no significant impacts to fragrant fritillary would occur (MM BIO-1a). Therefore, the proposed project would not have a substantial adverse effect to fragrant fritillary and impacts would be less than significant under CEQA Guidelines.

Special-status Wildlife: The potential for wildlife species to occur on the proposed project parcel was evaluated based on the presence of suitable habitats, and occurrences recorded by the CNDDB in the general vicinity of the site, as well as a site survey conducted by a qualified Biologist. The Special-status Wildlife Species Habitat Value Evaluation (NESMI Table 2, Appendix B) provides a summary of the listing status, habitat requirements, and the potential for occurrence of other sensitive wildlife species that have been documented within the *Richmond, California* USGS 7.5-minute Topographic Quadrangle Map and the eight surrounding quadrangles.

A total of 44 special-status wildlife species were evaluated for their potential to occur within the BSA. Of the 44 species evaluated, three special-status wildlife species have the potential to occur: California red-legged frog (*Rana draytonii*), northwestern pond turtle (*Actinemys marmorata*), and Alameda whipsnake (*Masticophis lateralis euryxanthus*). These species are discussed in further detail below.

California Red-legged Frog

California red-legged frog (CRLF) is listed under the federal Endangered Species Act as threatened and is a California Species of Special Concern (SSC). This species is found in lowlands and foothills in or near permanent sources of water with deep pooling features and dense, shrubby, or emergent riparian vegetation. The CRLF requires 11–20 weeks of permanent water for larval development and must have access to aestivation habitat. CRLF have been reported to disperse up to 1.7 miles from breeding habitat following the onset of fall/winter rainfall (Fellers and Kleeman 2007).

CRLF was not observed during the reconnaissance-level field survey. The project site contains riparian woodland and an intermittent drainage that connects to San Pablo Reservoir approximately 0.3 mile east. There was one occurrence recorded at the north edge of San Pablo Reservoir in 2008. There was one occurrence recorded approximately 1.5 miles southeast in 2007, within the dispersal distance of CRLF. There are many additional occurrences recorded within 5 miles of the project site. The project site does not overlap with final critical habitat designated for CRLF.

The project site does not contain critical habitat or provide breeding habitat for CRLF due to the lack of suitable deep aquatic habitat. Because of previous disturbances in the project site and the vicinity to a highly trafficked roadway combined with the overall biological composition, it is unlikely that this species would occur. However, the project site contains an intermittent drainage that connects to San Pablo Reservoir approximately 0.3 mile east of the BSA and marginally suitable riparian woodland to support this species. Given the recorded occurrence of CRLF approximately 1.5 miles southeast of the BSA and the presence of the riparian vegetated drainage that connects to San Pablo Reservoir, there is a potential for CRLF to utilize the areas in and around the BSA for in-stream and upland dispersal habitat after the onset of fall/winter rains. Out of an abundance of caution, avoidance measures would be carried out by the proposed project to ensure that no significant impact to CRLF occurs (MM BIO-1b). Therefore, the proposed project would not adversely impact CRLF.

Northwestern Pond Turtle

Northwestern pond turtle (NWPT) is proposed as threatened under the federal Endangered Species Act and is a California SSC. This species nests in ponds, marshes, rivers, streams and irrigation ditches, usually with aquatic vegetation, and requires upland habitat for basking.

NWPT was not observed during the reconnaissance-level field survey. The project site contains riparian woodland and an intermittent drainage that connects to San Pablo Reservoir approximately 0.3 mile east. There was one occurrence of NWPT recorded in the San Pablo Reservoir in 1992. In addition, there has also been one occurrence recorded approximately 1.5 miles west in Anza Lake in 2016, and one occurrence recorded approximately 2 miles northwest in Jewel Lake in 1992.

The project site does not contain critical habitat or provide suitable breeding habitat due to the intermittent nature of the drainage within the site and a general lack of basking habitat due to overstory vegetation. Because of previous disturbances in the project site and the vicinity to a highly trafficked roadway combined with the overall biological composition, it is unlikely that this species would occur. However, the intermittent drainage connects to San Pablo Reservoir approximately 0.3 mile east and contains marginally suitable riparian woodland habitat to support

this species. Given the recorded occurrence of NWPT within San Pablo Reservoir and the presence of the riparian habitat within the existing drainage that connects to San Pablo Reservoir, there is a potential for NWPT to utilize the areas in and around the site for in-stream and upland dispersal habitat. Out of an abundance of caution, avoidance measures would be carried out by the proposed project to ensure that no significant impact to NWPT occurs (MM BIO-1c). Therefore, the proposed project would not adversely impact NWPT.

Alameda Whipsnake

The Alameda whipsnake (AWS) is listed as threatened under the federal Endangered Species Act and California Endangered Species Act. The AWS typically is found in chaparral and scrub habitats but will also use adjacent grassland, oak savanna, and woodland habitats. Specifically, mostly south-facing slopes and ravines, with rock outcrops, deep crevices or abundant rodent burrows, where shrubs form a vegetative mosaic with oak trees and grasses.

AWS was not observed during the reconnaissance-level field survey. The project site contains oak woodland and non-native annual disturbed grassland. There were three occurrences recorded within 1 mile of the BSA in 1999, 2000, and 2008. The project site overlaps with final critical habitat designated for AWS.

The project site does not contain chaparral or scrub habitats. The grassland and oak woodland present in the project site are subject to ongoing anthropogenic disturbance due to the adjacency to San Pablo Dam Road, Old San Pablo Dam Road, and dirt access roads, and therefore are unlikely to provide suitable habitat for the AWS. However, given the nearby recorded occurrences of this species and the overlap of Designated Final Critical Habitat for this species within the site, implementation of the measures described below would ensure that take of AWS is avoided. Out of an abundance of caution, avoidance measures would be carried out by the proposed project to ensure that no significant impact to AWS occurs (MM BIO-1d). Therefore, the proposed project would not adversely impact AWS.

Nesting Birds

The Migratory Bird Treaty Act (MBTA) and the California Fish and Game Code protect migratory birds, including their eggs, nests, and young. The majority of migratory birds that have the potential to nest within the project site are not special-status species and are regionally common. Nonetheless, the project would implement measures to avoid and minimize effects on active nests of migratory birds to comply with the MBTA and California Fish and Game Code. Several avian species covered under the MBTA and California Fish and Game Code have the potential to nest within or adjacent to the project site. Avian species observed during the reconnaissance-level field survey that have the potential to nest within, or within disturbance distance of the BSA include oak titmouse (*Baeolophus inornatus*), Anna's hummingbird (*Calypte anna*), brown creeper (*Certhia americana*), hairy woodpecker (*Dryobates villosus*), western flycatcher (*Empidonax difficilis*), dark-eyed junco (*Junco hyemalis*), orange-crowned warbler (*Leiothlypis celata*), acorn woodpecker (*Melanerpes formicivorus*), California towhee (*Melozone crissalis*), chestnut backed chickadee (*Poecile rufescens*), bushtit (*Psaltriparus minimus*), black phoebe (*Sayornis nigricans*), white-breasted nuthatch (*Sitta carolinensis*), lesser goldfinch (*Spinus psaltria*), tree swallow (*Tachycineta bicolor*), Bewick's wren (*Thryomanes bewickii*), warbling vireo (*Vireo gilvus*), and others. No active nests were observed during the reconnaissance-level field survey. There is suitable nesting habitat within the project site, specifically in the form of trees that could be impacted during construction-related activities. Trees would be removed to support the culvert

replacement and temporary impacts due to construction noise and vibration disturbance have potential to occur. However, all trees removed would be replanted after construction-related activities have ceased. While there is potential for birds to nest within the project site during the nesting season, implementation of MM BIO-1e described below would ensure that impacts would be less than significant.

Potential Impacts:

Implementation of the following mitigation measures would bring potential project-related impacts on biological resources and aquatic organisms to less than significant levels:

MM BIO 1a **Protocol-level Special-status Plant Survey:** Implementation of the following measures would ensure avoidance of impacts on special-status plant species:

A qualified Biologist shall conduct special-status plant survey(s) within the Biological Study Area (BSA) before the onset of work activities as determined by the California Department of Fish and Wildlife (CDFW) and East Bay Municipal Utility District (EBMUD). Surveys shall be conducted in a manner which maximizes the likelihood of locating special-status plants that may be on-site. Surveys shall be timed within the early, mid, and late season to capture the local blooming period of the target special-status plant species. If any special-status or EBMUD-monitored plant species are detected, construction activities shall not be allowed to commence until consultation with EBMUD and CDFW has occurred, as needed.

MM BIO 1b **Worker Environmental Awareness Program:** Before any activities begin on the project, a qualified Biologist shall provide a Worker Environmental Awareness Program (WEAP) for all construction personnel. At a minimum, the training shall include a description of the California red-legged frog (CRLF), northwestern pond turtle (NWPT), and Alameda whipsnake (AWS); their habitat; the regulatory protections afforded for these species; the general measures that are being implemented to conserve them as they relate to the proposed project; and the boundaries within which project activities may be accomplished.

MM BIO-1c **Exclusion Fencing or Temporary Silt Fencing:** Prior to project work activities, wildlife exclusion fencing shall be installed around the perimeter of the development footprint in a manner that will prevent California red-legged frog (CRLF), northwestern pond turtle (NWPT), and Alameda whipsnake (AWS) from entering the project impact areas. A qualified Biologist shall be present during the installation of the wildlife exclusion fencing. The barrier fencing shall be removed within 72 hours of completion of work. The location and design of the fence shall be approved by a qualified Biologist, and the qualified Biologist shall also be present on-site to monitor installation until the exclusion fence is complete. At a minimum, the exclusion fencing shall be at least 3 feet high and the lower 6 inches of the fence shall be buried in the ground to prevent animals from crawling under. The remaining 2.5 feet shall be left above ground to serve as a barrier for animals moving on the ground surface. Fencing shall be installed and maintained in good condition during all

construction activities and shall be inspected and maintained daily until the completion of project construction.

MM BIO-1d **California Red-legged Frog Mitigation:** Implementation of the following measures would ensure avoidance of impacts on California red-legged frog (CRLF):

Work Restriction: To the greatest extent practicable, project activities shall be restricted to the period between April 15 and October 15, when CRLF are the least active. If project activities are proposed outside of the work restriction period, consultation with the California Department of Fish and Wildlife (CDFW)/United States Fish and Wildlife Service (USFWS) shall be required to ensure appropriate avoidance and/or minimization measures are incorporated.

Pre-Construction Survey: A qualified Biologist shall survey the Biological Study Area (BSA) no more than 5 days before the onset of work activities and present survey results to the County, for submittal to CDFW. If any life stage of the CRLF is detected, construction activities shall not be allowed to commence until consultation with USFWS has occurred.

Revegetation: Areas disturbed by the project shall be revegetated utilizing an assemblage of native upland vegetation suitable for the area. Invasive, exotic plants shall be controlled to the maximum extent practicable during construction. This measure shall be implemented in all areas disturbed by activities associated with the project unless CDFW and the project applicant determine that it is not feasible or practical.

MM BIO-1e **Northwestern Pond Turtle Mitigation:** Implementation of the following measures would ensure avoidance of impacts on the northwester pond turtle (NWPT):

Pre-construction Survey: A qualified Biologist shall survey the Biological Study Area (BSA) no more than 5 days before the onset of work activities and present survey results to the County, for submittal to the California Department of Fish and Wildlife (CDFW). If any life stage of the NWPT is detected, construction activities shall not be allowed to commence until consultation with the CDFW and the United States Fish and Wildlife Service (USFWS) has occurred.

Revegetation: Areas scheduled for grading and/or vegetation shall be revegetated utilizing an assemblage of native upland vegetation suitable for the area. Invasive, exotic plants shall be controlled to the maximum extent practicable during construction. This measure shall be implemented in all areas disturbed by activities associated with the project unless the CDFW, the USFWS, and the project applicant determine that it is not feasible or practical.

MM BIO-1f **Alameda Whipsnake Mitigation:** Implementation of the following measures would ensure avoidance of impacts on the Alameda whipsnake (AWS):

Work Restriction: To the greatest extent practicable, project activities shall be restricted to the period between April 15 and October 15, when AWS is more active and capable of moving away from proposed construction activities. If project activities are proposed outside of the work restriction period, consultation with California Department of Fish and Wildlife (CDFW)/United States Fish and Wildlife Service (USFWS) shall be required to ensure appropriate avoidance and/or minimization measures are incorporated.

Pre-Construction Survey: A qualified Biologist shall survey the project site within 24 hours prior to the initiation of construction-related activities for AWS and present survey results to the County, for submittal to the CDFW. If an individual is detected during the pre-construction survey, they shall be relocated to suitable habitat outside the project's impact areas (with approval from the USFWS as appropriate).

Construction Monitoring: A qualified Biologist(s) will be present during any construction activities that could, in the Biologist's opinion, potentially result in take of individual AWS. The Biologist(s) shall have the authority to stop any work that may result in take of this species. The on-site Biologist shall be the contact for any employee or Contractor who might inadvertently kill or injure an AWS or anyone who finds a dead, injured, or entrapped individual of any of these species. If an AWS is observed within the work area during project activities, all work that could result in the injury or death of the individual shall stop immediately and the qualified Biologist shall be immediately notified. The animal shall be allowed to leave the work area of its own volition. If it does not leave the area of its own volition, the CDFW shall be contacted to determine next steps. No individual of any of these species shall be handled without prior approval from the CDFW or USFWS.

Avoidance of Entrapment: To prevent inadvertent entrapment of AWS during construction, all excavated, steep-walled holes or trenches more than 1 foot deep would be covered at the close of each working day with plywood or other suitable material, or provided with one or more escape ramps constructed of earth fill or wooden planks. Before such holes or trenches are filled, they must be thoroughly inspected for trapped animals. All pipes, culverts, or similar structures stored overnight shall be inspected before they are subsequently moved, capped, and/or buried. If at any time wildlife is discovered, the approved Biologist shall be contacted to determine the next steps.

MM BIO-1g **Migratory Bird Mitigation:** Implementation of the following measures would ensure avoidance of impacts on migratory birds:

Avoidance of Nesting Season: To the extent practicable, vegetation and/or tree removal shall be scheduled to avoid the avian nesting season. The nesting season typically runs from February 1 through August 31.

Pre-Construction Surveys for Active Nests: If the proposed project requires vegetation and/or tree removal to be removed during the nesting season (February 1 to August 31), pre-construction nesting bird surveys shall be conducted no more than 7 days prior to the start of ground or vegetation

disturbance (including tree removal) and survey results presented to the County, for submittal to the California Department of Fish and Wildlife (CDFW).

Buffer zone for Active Nests: If an active nest is located during pre-construction surveys, a qualified Biologist, in consultation with the CDFW, shall determine an appropriately sized avoidance buffer based on the species and anticipated disturbance level. The CDFW recommends a minimum no-disturbance buffer of 250 feet around active nests of non-listed bird species and a 500-foot no-disturbance buffer around active nests of non-listed raptors.) A qualified Biologist shall delineate the avoidance buffer using Environmentally Sensitive Area fencing, pin flags, and/or yellow caution tape. In consultation with CDFW, the qualified Biologist shall monitor the active nest during the subject construction activities and modify the protection zone accordingly to prevent project-related nest disturbance. The buffer zone shall be maintained around the active nest site(s) until the **qualified Biologist has determined that the nesting attempt is complete**. No construction activities or construction foot traffic is allowed to occur within the avoidance buffer(s). In consultation with the CDFW, the qualified Biologist shall monitor the active nest during the subject construction activities and modify the protection zone accordingly to prevent project-related nest disturbance, until the young have fledged, or nests fail due to other natural causes.

b) *Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or United States Fish and Wildlife Service?*

Less Than Significant with Mitigation Incorporated: Habitats are considered sensitive when they are either restricted in distribution, support sensitive species within the region, or are subject to regulatory protections at the federal, State, or local level. The project site contains three open and vegetated intermittent and ephemeral channels (with four segments consisting of culvert pipes and one segment consisting of an open cement culvert/flume), that conveys flows into San Pablo Reservoir. The channels are flanked by riparian woodland habitats on both the upstream and downstream ends of the culvert pipes.

The existing coast live oak-California bay woodland, California Bay-bigleaf maple riparian woodland, and arroyo willow woodland riparian are regulated under Fish and Game Code Section 1602. Therefore, the project applicant would be required to consult with the CDFW under the Lake and Streambed Alteration Program for proposed impacts to the sensitive natural community. Permits will be obtained from CDFW (Streambed Alteration Agreement) and Regional Water Quality Control Board (RWQCB) (Water Quality Certification), and United States Army Corps of Engineers (USACE) Nationwide Permit (NWP). Permit requirements will be followed to minimize impacts to water quality and riparian habitats. Temporary impacts to the riparian habitat will be minimized through implementation of MM BIO-2a, MM BIO 2b, and MM BIO-2c. It should be noted that the County is currently obtaining the required CDFW, RWQCB, and USACE permits; however, final permits have not yet been awarded by their respective regulatory agencies. Additionally, temporary and permanent impacts would be addressed by post-construction revegetation measures, indicating that any locations slated for grading or where existing vegetation is cleared will be replanted with native trees and a mix of native seeds that are

ecologically appropriate for the site. Potential project-related impacts to sensitive natural communities and jurisdictional features are further discussed below.

Waters of the United States and State

A preliminary Aquatic Resources Jurisdictional Delineation was conducted on September 19, 2024. No potential wetlands were present on-site. Potential jurisdictional waters are summarized in Table 3 below:

Table 3: Summary of Aquatic Resources Within the Project Site

Type	Segment ID	Length (linear feet)	OHWM Width (feet)	Area (square feet)	Area (acre)
Open Intermittent Drainage Segment	1-1	87	1	87	0.002
Open Ephemeral Drainage Segment	1-1A	30	1	30	0.0007
Open Ephemeral Drainage Segment	1-1B	26	1	26	0.0006
Sum Open Drainage Segments	**—**	**143**	**N/A**	**143**	**0.0033**
Closed Culvert Segment	1-2A	205	2	410	0.01
Closed Culvert Segment	1-2B	205	2	410	0.01
Closed Culvert Segment	1-2C	270	1	270	0.01
Open Culvert Segment	1-3	25	2	50	0.001
Closed Culvert Segment	1-4	12	1	12	0.0003
Sum Culvert Segments	**—**	**717**	**N/A**	**1,152**	**0.0313**
Sum All Potentially Jurisdictional Waters	**—**	**860**	**N/A**	**1,295**	**0.0346**
Notes: OHWM = ordinary high water mark					

Potential waters of the United States include intermittent and ephemeral drainages with a total length of approximately 87 linear feet (87 square feet) (0.002 acre). Potential waters of the State include intermittent drainages with a total length of approximately 855 feet, 1,284 square feet (0.0346 acre). The proposed project would permanently impact a total of approximately 13 square feet of intermittent drainages, 3 square feet of ephemeral drainages, and 296 linear feet of underground culvert segments. Additionally, the proposed project would temporarily impact a total of approximately 74 square feet of intermittent drainages, 53 square feet of ephemeral drainages, and 714 linear feet of underground culvert segments. Additionally, any impacts on drainage channels and associated tree removal within the existing riparian vegetation are expected to be regulated by the CDFW pursuant to the Streambed Alteration Program, California Fish and Game Code Section 1602, *et seq.* and would be replaced as a part of the proposed restoration plan. The existing aquatic features and riparian vegetation fall under protection of the CDFW, RWQCB, and USACE. The project applicant must consult with each regulatory agency, respectively, to address the proposed impacts to protected waters and associated riparian vegetation. Permit requirements will be followed to minimize impacts to water quality and potentially jurisdictional water features. With implementation of MM BIO-2a through MM BIO-2d outlined below, impacts to jurisdictional features and sensitive natural communities would be reduced to a less than significant level under CEQA.

All riparian woodland habitats are generally regarded as sensitive natural communities. Three sensitive natural communities as identified by the CDFW California Natural Communities List include: coast live oak-California bay woodland, California bay-bigleaf maple riparian woodland, and arroyo willow riparian woodland. The impact of the proposed project to these communities are further detailed below.

Coast Live Oak-California Bay Woodland

The upland portions of the BSA, including the staging area, consist of coast live oak-California bay woodland. The proposed project would permanently impact approximately 52 square feet of coast live oak-California bay woodland and temporarily impact an additional 0.08-acre for site access and potential staging (Figure 6). Permanent impacts associated with the installation of a culvert under San Pablo Dam Road includes the removal of approximately five trees located in the coast live oak-California bay woodland, north of the culverts, where the culvert pipe extends beyond the segment under the roadway. Areas temporarily impacted for site access and staging would readily recover post-construction, in addition to the replacement of removed trees within the BSA during the project-related restoration. Temporary impacts to existing trees, due to construction-related trenching and compaction, have potential to occur. Trees proposed for preservation within the existing coast live oak-California bay woodland will adhere to Tree Preservation Measures outlined in the project-specific arborist report throughout all phases of construction, including grading, trenching, and material storage, to prevent construction-related damage to preserved trees on-site (MM BIO-2d). The California bay-bigleaf maple riparian woodland is regulated under Fish and Game Code Section 1602. Therefore, the project applicant would be required to consult with the CDFW under the Lake and Streambed Alteration Program for proposed impacts to the sensitive natural community. Through adherence to MM BIO-1d and MM BIO-1e listed above, and MM BIO-2a and MM BIO-2d listed below, potential impacts to sensitive natural communities, including coast live oak-California bay woodland, would be reduced to a less than significant level under CEQA.

California Bay-Bigleaf Maple Riparian Woodland

The portion of the BSA surrounding the north end of the underground culvert and open paved culvert segment consists of California bay-bigleaf maple riparian woodland. The proposed project would permanently impact 226 square feet of California bay-bigleaf maple riparian woodland and temporarily impact 0.02 acre, none of which is associated with staging-related activities (Figure 6). Permanent impacts associated with the installation of a culvert under San Pablo Dam Road includes the removal of approximately four trees located in the California bay-bigleaf maple riparian woodland, north of the culverts, where the culvert pipe extends beyond the segment under the roadway. Temporary impacts to existing trees, due to construction-related trenching and compaction, have potential to occur. Trees proposed for preservation within the existing California bay-bigleaf maple riparian woodland will adhere to Tree Preservation Measures outlined in the project-specific arborist report throughout all phases of construction, including grading, trenching, and material storage, to prevent construction-related damage to preserved trees on-site (MM BIO-2d). The California bay-bigleaf maple riparian woodland is regulated under Fish and Game Code Section 1602. Therefore, the project applicant would be required to consult with the CDFW under the Lake and Streambed Alteration Program for proposed impacts to the sensitive natural community.

Vegetation and Land Cover Types	BSA	Staging	Temp Impact	Perm Impact
Arroyo Willow Riparian Woodland	0.20 acre	0.00 acre	0.19 acre (7,991 sq. ft.)	0.01 acre (306 sq. ft.)
California Bay-Bigleaf Maple Riparian Woodland	0.02 acre	0.00 acre	0.02 acre (788 sq. ft.)	0.00 acre (226 sq. ft.)
Coast Live Oak-California Bay Woodland	0.19 acre	0.08 acre	0.11 acre (4,765 sq. ft.)	0.00 acre (52 sq. ft.)
Wild Oat-Annual Brome Disturbed Grassland	0.17 acre	0.12 acre	0.05 acre (1,985 sq. ft.)	0.00 acre
Developed	11.56 acres	11.23 acre	0.20 acre (8.852 sq. ft.)	0.01 acre (419 sq. ft.)
Dirt Access Road	0.09 acre	0.06 acre	0.03 acre (788 sq. ft.)	0.00 acre
Paved Flume	0.02 acre	0.00 acre	0.01 acre (379 sq. ft.)	0.01 acre (323 sq. ft.)
Intermittent Drainage	0.002 acre	0.00 acre	0.002 acre (74 sq. ft.)	0.00 acre (13 sq. ft.)
Ephemeral Tributary	0.001 acre	0.00 acre	0.001 acre (53 sq. ft.)	0.00 acre (3 sq. ft.)
Underground Culvert Segment	735 ft.	22 ft.	417 ft.	296 ft.

Source: ESRI Aerial Imagery. Contra Costa County 09/18/2024, updated 10/30/2024, revised 11/26/2024, revised again 03/25/2025.

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60 30 0 60 Feet

Figure 6
Vegetation and Land Cover Impact Map

Additionally, MM BIO-1b and MM BIO-1c address post-construction revegetation measures, indicating that any locations slated for grading or where existing vegetation is cleared will be replanted with a mix of native upland species that are ecologically appropriate for the site. Through adherence to MM BIO-1d and MM BIO-1e listed above, and MM BIO-2a and MM BIO-2d listed below, potential impacts to sensitive natural communities, including California bay-bigleaf maple riparian woodland, would be reduced to a less than significant level under CEQA.

Arroyo Willow Riparian Woodland

The portion of the BSA surrounding the south end of the underground culvert segment consists of arroyo willow riparian woodland. The proposed project would permanently impact 0.01-acre/306 square feet of arroyo willow riparian woodland and temporarily impact 0.19 acre, none of which is associated with staging-related activities (Figure 6). Permanent impacts associated with the installation of a culvert under San Pablo Dam Road include the removal of approximately four trees located in the California bay-bigleaf maple riparian woodland north of the culverts, where the culvert pipe extends beyond the segment under the roadway. Temporary impacts to existing trees, due to construction-related trenching and compaction, have potential to occur. Trees proposed for preservation within the existing arroyo willow riparian woodland will adhere to Tree Preservation Measures outlined in the project-specific arborist report throughout all phases of construction, including grading, trenching, and material storage, to prevent construction-related damage to preserved trees on-site (MM BIO-2d). The arroyo willow riparian woodland is regulated under Fish and Game Code Section 1602. Therefore, the project applicant would be required to consult with CDFW under the Lake and Streambed Alteration Program for proposed impacts to the sensitive natural community. Additionally, MM BIO-1b and MM BIO-1c address post-construction revegetation measures, indicating that any locations slated for grading or where existing vegetation is cleared will be replanted with a mix of native upland species that are ecologically appropriate for the site. Through adherence to MM BIO-1d and MM BIO-1e listed above, and MM BIO-2a and MM BIO-2d listed below, potential impacts to sensitive natural communities, including arroyo willow riparian woodland, would be reduced to a less than significant level under CEQA Guidelines.

Potential Impacts:

Implementation of MM BIO-1d and MM BIO-1e and the following mitigation measures (MM BIO-2a through MM BIO-2d) would bring potential project-related impacts on sensitive natural communities to less than significant levels:

MM BIO-2a **Obtain Approval of and File Notification of Streambed Alteration Agreement Prior to Construction (After Agency Coordination)**

The project applicant shall coordinate with California Department of Fish and Wildlife (CDFW) and obtain and file a notification of a Streambed Alteration Agreement, if and to the extent required by applicable laws and regulations, prior to conducting construction activities within any riparian corridor. If required, the applicant shall implement all mitigation measures imposed by the CDFW related to the subject Streambed Alteration Agreement, which may include but not be limited to the implementation of erosion and bank stabilization measures, riparian habitat enhancement, and/or restoration and revegetation of the stream corridor habitat as determined by the CDFW.

MM BIO-2b **Obtain Approval of and File Notification of Section 401 Permit Prior to Construction (After Agency Coordination)**

The project applicant shall coordinate with the Regional Water Quality Control Board (RWQCB) and obtain and file a notification of a Section 401 Permit, if and to the extent required by applicable laws and regulations, prior to conducting construction activities within any jurisdictional feature. If required, the applicant shall implement all mitigation measures imposed by the RWQCB related to the subject Section 401 Permit, which may include, but not be limited to, the implementation of erosion and bank stabilization measures, compensatory mitigation, stream corridor enhancement, and/or restoration and revegetation of the stream corridor habitat, as determined by the RWQCB.

MM BIO-2c **Obtain Approval of and File Notification of Section 404 Permit Prior to Construction (After Agency Coordination)**

The project applicant shall coordinate with the United States Army Corps of Engineers (USACE) and obtain and file a notification of a Section 404 Permit, if and to the extent required by applicable laws and regulations, prior to conducting construction activities within any jurisdictional feature. If required, the applicant shall implement all mitigation measures imposed by the USACE related to the subject Section 404 Permit, which may include, but not be limited to, the implementation of erosion and bank stabilization measures, compensatory mitigation (if deemed necessary during the USACE consultation process), stream corridor enhancement, and/or restoration and revegetation of the stream corridor habitat, as determined by the USACE.

MM BIO-2d **Compliance with Arborist Report Tree Preservation Measures**

Trees proposed for preservation shall be protected in accordance with the Tree Preservation Measures outlined in the project-specific arborist report. The County, Contractor, and all site personnel must adhere to these Tree Preservation Measures throughout all phases of construction, including grading, trenching, and material storage. Preservation measures include, but are not limited to protective fencing, root zone safeguards, and other specified actions that shall be installed and/or maintained by qualified personnel to prevent construction-related damage to preserved trees on-site.

c) Would the project have a substantial adverse effect on State or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

No Impact: The USACE and the United States Environmental Protection Agency (EPA) are two of the primary federal agencies which enforce the Clean Water Act and administer the associated permitting program. As such, these agencies define wetlands as areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

Under Section 404 of the Clean Water Act (CWA), the USACE regulates the discharge of dredged or fill material into waters of the United States. Waters of the Unites States include navigable and interstate waters, tributaries, impoundments, and adjacent wetlands with a continuous surface connection, with USACE jurisdiction typically extending to the ordinary high water mark (OHWM). Wetlands indicators include hydrophytic vegetation, hydric soils, and hydrology, with continuous surface connection to a traditional navigable water (TNW). Under Section 401 of the CWA, the RWQCB defines waters of the State as any surface water or groundwater, including rivers, lakes, streams, wetlands, and other water bodies, whether navigable or not and may include features not regulated as waters of the United States, such as isolated wetlands or ephemeral drainages.

According to the field survey conducted by FCS, the subject property does not contain wetlands that may be considered jurisdictional by USACE, the EPA, the CDFW, or the RWQCB because the site lacks evidence of all three parameters (wetland soils, hydrology, and vegetation) that are used to indicate wetlands. Discussion of other jurisdictional non-wetland aquatic features, including waters of the United States and waters of the State, are analyzed in checklist question (b) above. Thus, the proposed project would have no substantial adverse effect on a federally protected wetland.

d) *Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of wildlife nursery sites?*

Less Than Significant with Mitigation Incorporated: Based on the Essential Connectivity Areas geospatial data set, which uses habitat modeling to identify areas of land with value as wildlife corridors, the project site is defined as having limited connectivity opportunities. The site is also adjacent to developed land that is also defined as having limited connectivity opportunities. The project site provides minimal habitat connectivity for local wildlife, as the majority of the site constitutes either a developed two-lane road or disturbed riparian woodland surrounding the road. Therefore, the proposed project would not impact wildlife movement corridors.

The project site does not contain native wildlife nursery sites. No significant breeding/nesting colonies were observed during the field survey. However, individual nesting birds have the potential of being present on-site, during nesting seasons. Potential impacts to individual nesting birds are addressed through the implementation of MM BIO-1e. As such, impacts to wildlife nursery sites would be less than significant with implementation of MM BIO-1e.

e) *Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?*

Less Than Significant Impact with Mitigation Incorporated: An Arborist Report was produced for the proposed project by an FCS Arborist (International Society of Arboriculture Certified [ISA] Certification ID: WE-15232A) in September 2025 (Appendix B). Contra Costa County provided FCS with a preliminary tree inventory and associated diameters at breast height (DBHs) based on a tree survey conducted by the County in April 2025. It was requested that an FCS Arborist verify the preliminary April 2025 tree inventory and measurements, as well as evaluate all tree species, size (i.e., height, crown), and condition, with a DBH of 6.5 inches or greater within the proposed project grading limits. The FCS Arborist performed a supplemental arborist survey of existing trees on the project site on August 28, 2025.

An ISA-Certified Arborist evaluated a total of 31 trees located within the BSA, including 27 trees that were assessed as being within the proposed grading limits and four proposed for preservation. Tree species present in the non-developed portions of the project site include, but are not limited to, coast live oak, California bay, and arroyo willow. The County proposes to preserve approximately four trees within the BSA and remove approximately 27 trees, within grading limits. The project site contains County-protected tree species, with a DBH of 6.5 inches or greater, as defined by local Municipal Code Chapter 816-6 – Tree Protection and Preservation Ordinance, that typically fall under County tree regulations. However, County Public Works Department projects are considered exempt from the local ordinance and therefore are not subject to local tree regulations. Therefore, the proposed project would not conflict with any local ordinances protecting biological resources, including trees.

Although the proposed project is exempt from the local tree ordinance, the County proposes to revegetate areas through implementation of MM BIO-1b and MM BIO-1c, which address post-construction revegetation measures, indicating that any locations slated for grading or where existing vegetation is cleared will be replanted with a mix of native upland species that are ecologically appropriate for the site. Additionally, adherence to MM BIO-2a and MM BIO-2d would reduce potential construction-related impacts to trees proposed for removal and/or preservation, that fall within the on-site riparian woodland, under protection of the CDFW. The project applicant must consult with the CDFW and the RWQCB, to address the proposed impacts to protected waters and associated riparian vegetation. Therefore, through adherence to MM BIO-1b, MM BIO-1c, and MM BIO-2a and MM BIO-2d listed above, any potential impacts due to project development would be further reduced to less than significant levels.

f) Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State Habitat Conservation Plan?

No Impact: The East Contra Costa County Habitat Conservation Plan/Natural Community Conservation Plan (ECCC HCP/NCCP) was adopted by the County in October of 2006. The purpose of this plan is to provide a framework to protect natural resources while streamlining the environmental permitting process for impacts to covered special-status species within the rapidly expanding region of eastern Contra Costa. The proposed project site is not located within an area of Contra Costa County that is covered by the ECCC HCP/NCCP. Thus, the proposed project would not conflict with any conservation plan.

Sources of Information

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Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
5. *CULTURAL RESOURCES–Would the project:*				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	☐	☒	☐	☐
c) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☒	☐	☐

SUMMARY:

a) Would the project *cause a substantial adverse change in the significance of a historical resource pursuant to* California *Environmental Quality Act Guidelines Section 15064.5?*

No Impact: Historical resources in this context refer to the built environment, mainly buildings and structures over 45 years in age that may be eligible for inclusion on the California Register of Historical Resources (CRHR). The CRHR includes the National Register of Historic Places (NRHP), as well as some California Historical Landmarks and Points of Historical Interest. The records search conducted at the Northwest Information Center (NWIC) on July 23, 2025, did not identify any historic era built environment resources within the 0.5-mile search radius, nor within the proposed project boundaries. Additionally, the August 1, 2025 pedestrian survey failed to identify any historical resources within the project boundaries. Thus, the proposed project would not cause a substantial adverse change to historical resources, and no mitigation measures are required.

b) Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to California Environmental Quality Act Guidelines Section 15064.5?

Less Than Significant With Mitigation Incorporated: Section 15064.5 of the CEQA Guidelines defines significant archaeological resources as resources that meet the criteria for historical resources, as discussed above, or resources that constitute unique archaeological resources. A project-related significant adverse effect could occur if a project were to affect archaeological resources that fall under either of these categories.

Records search results from the NWIC indicate that six (three pre-contact and three pre-contact/historic) archaeological resources have been recorded within the 0.5-mile search radius, none of which are located within the project site boundaries. Additionally, the pedestrian survey conducted on August 1, 2025, did not identify any previously unidentified archaeological resources. All traversable areas of the project site were closely inspected for culturally modified soils or other indicators of potential historic or pre-contact resources. Ground visibility was less than 20 percent due to overgrown foliage; additionally, the project site is immediately adjacent to San Pablo Dam Road. Therefore, it is possible that earthmoving activities associated with project construction could encounter previously undiscovered archaeological resources. Archaeological resources can include but are not limited to stone, bone, wood, or shell artifacts or features,

including hearths and structural elements. Damage or destruction of these resources would be a potentially significant impact.

As described further in Impact 18(b), the County conducted Tribal Consultation with the CVLN in order to agree to measures to mitigate or avoid a significant effect on a Tribal Cultural Resource (TCR). An agreement was reached, and consultation was concluded on August 20, 2025, after meetings to evaluate the potential presence of resources within the project site. Implementation of MM CUL-1, MM CUL-2 and MM CUL-3 would ensure that this potential impact is reduced to a less than significant level.

As such, the proposed project would not cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5 with the implementation of MM CUL-1, MM CUL-2 and MM CUL-3. Impacts would be less than significant with mitigation incorporated.

Potential Impacts:

Implementation of the following mitigation measures would ensure that potential impacts from construction activities to archaeological resources, pursuant to Section 15064.5, would be reduced to less than significant levels.

MM CUL-1 Unanticipated Discovery of Cultural Resources:

- Contractor shall be notified of the possibility of encountering historic or archaeological materials during ground-disturbing activities. A standard inadvertent discovery clause will be included in every construction contract to inform Contractors of requirements during construction.
- Prior to the initiation of construction activities, a qualified Archaeologist shall provide Worker Environmental Awareness Program (WEAP) training to construction personnel with an overview of applicable laws, project mitigation measures, and procedures to be followed with regard to historical, archaeological, and Tribal resources that may be encountered over the course of the project.
- Procedures for discovery include:
  - If potential archaeological or Tribal cultural materials are encountered during construction, the Contractor shall cease all ground-disturbing activities within a 100-foot radius of the find. The Contractor shall immediately notify the District Resident Engineer or their designated representative to request a qualified Archaeologist and Confederated Villages of Lisjan Nation (CVLN) representative to assess the nature and significance of the find. The Archaeologist shall stake the area of discovery, placing stakes no more than 10 feet apart, forming a circle having a radius of no less than 100 feet from the point of discovery.
  - If the finding(s) is not determined to be potentially significant, work may resume.
  - If the finding(s) is determined to be potentially significant, the Archaeologist in consultation with the Tribal representative shall develop a mitigation plan, which shall be implemented by the entity in accordance with State guidelines and in consultation with the consulting Tribe. The mitigation plan shall include avoidance of the

resource or, if avoidance of the resource is not feasible, the plan shall outline appropriate treatment of the resource in coordination with the consulting Tribe and, if applicable, a qualified archeologist. Examples of appropriate mitigation for the Tribal Cultural Resources (TCRs) include, but are not limited to, protecting the cultural character and integrity of the resources, protecting traditional use of the resources, protecting the confidentiality of the resources, or heritage recovery. Preservation in place (i.e., avoidance) is typically the preferred manner of treatment of Tribal resources and cultural items. No photography of resources is permitted.

- Any previously undiscovered resources found during construction within the Project Site shall be recorded on appropriate California Department of Parks and Recreation (DPR) 523 forms and shall be submitted to Contra Costa County Department of Conservation and Development, the Northwest Information Center (NWIC), and the California Office of Historic Preservation (OHP), as required.

c) *Would the project disturb any human remains, including those interred outside of formal cemeteries?*

Less Than Significant With Mitigation Incorporated: While no formal cemeteries or areas containing human remains are known to be in the project site's vicinity, the possibility always exists that construction-related ground disturbance may uncover previously undiscovered human remains. In the unlikely event such a discovery is made, CEQA Guidelines Section 15064.5, Health and Safety Code Section 7050.5, and Public Resources Code Section 5097.94 and Section 5097.98 must be followed. Additionally, implementation of MM CUL-2, which details inadvertent discovery procedures, would reduce potential impacts to previously undiscovered human remains to a less than significant level.

Potential Impacts:

Implementation of the following mitigation measure would reduce the potential to disturb any human remains, including those outside of formal cemeteries, to a less than significant level:

MM CUL-2 Impact to Previously Undiscovered Human Remains

- In the event of the accidental discovery or recognition of any human remains, there shall be no further excavation or disturbance within 100 feet of the remains until the Contra Costa County Coroner is contacted to determine whether the remains are Native American and if an investigation of the cause of death is required. At the same time, an Archaeologist shall be contacted to assess the situation.
- If the Coroner determines the remains to be Native American, the Coroner shall contact the Native American Heritage Commission (NAHC) within 24 hours of this identification. The NAHC shall identify a Most Likely Descendant (MLD) to inspect the site and provide recommendations for the proper treatment of the remains and associated funerary objects.
- If the Confederated Villages of Lisjan Nation (CVLN) is designated as the MLD, the Tribe shall make every effort to recommend keeping ancestral

remains and funerary objects in situ and protected. If removal of burials is necessary, Tribal representatives shall work with the qualified Archaeologist to ensure that excavation and documentation are treated carefully, ethically, and respectfully. No photography, testing, or scientific study, destructive or non-destructive, shall be conducted on ancestral human remains. All bone, if not identifiable as human or animal, shall be treated as human remains and the appropriate protocols followed. The Archaeologist shall prepare a report of all activities, including documenting methods and results as well as recommendations for the treatment of the human remains and any associated archaeological materials. The report shall be submitted to the District, the Northwest Information Center (NWIC), and the Tribe.

- Tribal representatives shall rebury the Native American human remains and associated funerary objects with appropriate dignity either: (1) in accordance with the recommendations of the MLD if available; or (2) in the project vicinity at a location decided upon between the CVLN representative and the County, where the reburial would be accessible to Tribal members in perpetuity and would not be subject to further disturbance. The discovery is to be documented on California Department of Parks and Recreation (DPR) 523 forms and otherwise kept confidential and secure to prevent any further disturbance.

Sources of Information

Cultural resources source information available upon request (Appendix C).

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
6. *ENERGY–Would the project:*				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	☒	☐
b) Conflict with or obstruct a State or local plan for renewable energy or energy efficiency?	☐	☐	☒	☐

SUMMARY:

a) Would the project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

Less Than Significant Impact. The proposed project is a public infrastructure repair project involving trenchless culvert installation, grouting, concrete work, and roadway rehabilitation over approximately 115 working days in 2026. Energy usage would primarily occur during construction, with no long-term operational energy demands or usage expected beyond periodic maintenance typical of road infrastructure. Because this is a replacement and rehabilitation project (rather than new infrastructure), it avoids expansion-related operational emissions or energy demands.

Construction

The proposed project would result in temporary energy use during construction activities. Key sources of energy use during construction include diesel or gasoline fuel use for heavy equipment, transportation for hauling materials and workers to and from the site, and electricity or fuel use for concrete and grout mixing operations (if conducted on-site).

However, this energy use is considered typical for infrastructure repair projects of this scale and is not wasteful or inefficient for the following reasons:

- The proposed project would utilize trenchless methods (pipe ramming and jack and bore), which reduce surface disturbance, minimize material hauling needs, and require less intensive roadway demolition and reconstruction than open-cut methods.
- The use of modern construction equipment with more stringent emissions and fuel efficiency standards (pursuant to California Air Resources Board [ARB] regulations) would help limit unnecessary energy consumption. Furthermore, the construction process itself is already designed to be efficient to minimize additional fuel use. Construction would be short-term (approximately 115 working days) and scheduled to avoid extended periods of idling or redundant work.
- All trenchless and concrete work would be done in place, reducing the need for large-scale transport of soil or off-site prefabrication. There would be minimal soil import or export for soil piles generated by boring the new culvert, which would reduce fuel use associated with haul trips using heavy-duty vehicles.

- Energy use associated with worker commutes, equipment mobilization, and material deliveries is not unusual and would be minimized through proper planning and staging.

Operation

Post-construction, the proposed project would not be associated with ongoing energy use. Once complete, the culverts and rehabilitated road surface would not require ongoing energy use, apart from standard maintenance. No energy-consuming features such as street lighting, pumps, or mechanical systems are being installed.

The project would not result in wasteful, inefficient, or unnecessary energy consumption during construction or operation. The energy use is limited in duration, scope, and scale, and the construction methods are inherently more efficient than conventional alternatives, and impacts would be less than significant.

b) *Would the project conflict with or obstruct a State or local plan for renewable energy or energy efficiency?*

Less Than Significant Impact. The proposed project is located in unincorporated Contra Costa County. The analysis considers whether the proposed project would conflict with or obstruct the 2045 General Plan the CAAP, and the 2022 ARB Scoping Plan.

2045 General Plan and CAAP

Energy goals and policies are integrated into the 2045 General Plan and the CAAP. Initiatives include reducing vehicle emissions. Implementation of these initiatives would help promote energy efficiency and reduced energy use associated with the proposed project.

Consistency Analysis

The proposed project would rehabilitate existing transportation infrastructure, which supports the 2045 General Plan/CAAP by improving resilience and extending asset life without inducing growth or unnecessary fuel use. It uses energy-efficient construction methods (such as trenchless installation), minimizing material hauling and surface disturbance which supports Policy TR-2 Actions of the CAAP, which calls for increasing the use of zero-emission vehicles. By replacing aging, failed infrastructure, the proposed project also supports adaptation to climate change. Overall, the proposed project would not add new, permanent energy-consuming infrastructure, and avoids expanded road capacity or traffic-inducing features, thus consistent with GHG and energy reduction goals of the 2045 General Plan/CAAP as described above.

2022 Scoping Plan

The 2022 ARB Scoping Plan outlines how the State will achieve carbon neutrality by 2045, including strategies to reduce energy demand, electrify equipment, and decarbonize infrastructure projects.

Consistency Analysis

The proposed project would involve short-term energy use during construction, which is typical and minimal compared to energy-intensive industrial or operational projects. Use of modern, emissions-compliant equipment and avoidance of unnecessary material transport or disturbance is consistent with ARB strategies for efficiency and emission reduction. Furthermore, as described

above, the proposed project would not result in wasteful or inefficient energy use, which is inherently consistent with the 2022 Scoping Plan.

The proposed project would not conflict with or obstruct a State or local plan for renewable energy or energy efficiency, and impacts would be less than significant.

Sources of Information

Contra Costa County. 2045 General Plan. 2024. November. Website: https://www.contracosta.ca.gov/4732/General-Plan. Accessed August 12, 2025.

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Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
7. *GEOLOGY AND SOILS*–*Would the project*:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?	☐	☐	☐	☒
ii) Strong seismic ground shaking?	☐	☐	☒	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☒	☐	☐
iv) Landslides?	☐	☒	☐	☐
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☒	☐	☐
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☐	☒	☐
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☒	☐	☐

SUMMARY:

a) Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?

No Impact. Surface rupture occurs when strong seismic shaking causes an active fault to offset and break through the surface. Because of the threat surface rupture poses to structures directly located on, or in proximity to active fault lines, the State of California established regulatory zones under the Alquist-Priolo Earthquake Fault Zoning Act of 1972 directly around active fault lines capable of producing surface rupture.

The project site is not located on, or in direct proximity to an active fault line delineated as a Special Study Zone. The closest active fault line is the Hayward Fault located approximately 2.2

miles west of the project site where the risk of surface rupture is negligible. Since the project site is not situated on or in direct proximity to an Alquist-Priolo Earthquake Fault, the construction activities and operation associated with the proposed project would not directly or indirectly risk the loss or injury of individuals from rupture of a known earthquake fault. Therefore, the proposed project would have no impact pertaining to substantial adverse effects involving the rupture of a known earthquake fault.

ii) Strong seismic ground shaking?

Less Than Significant Impact. Seismic ground shaking is caused by the sudden movement along active fault lines resulting in the release of stored energy in the form of seismic waves. The intensity of ground shaking depends on many factors including subsurface conditions beneath the project site, distance from the epicenter, depth of the hypocenter, the direction of surface rupture, and the strength of building materials. The project site is located within the San Andreas Fault System consisting of many major northwest striking right lateral strike-slip faults and other lesser-known faults. The closest major fault line is the Hayward Fault located approximately 2.2 miles west of the project site.

Since the project site is in a seismically active region, there is a potential for strong seismic shaking to occur. Development of the proposed project would include the use of contact grouting around the exterior of the pipes to ensure that the newly installed pipes are properly supported, such as in the event of ground shaking, and will stabilize compromised soils. Construction of the proposed project would involve the use of a pneumonic hammer that could cause seismic shaking. However, seismic shaking as a result of proposed project construction would be temporary. Proposed project operations would not involve uses related to seismic ground shaking. The proposed project would not construct any buildings that could expose individuals to the risk of injury or loss from strong seismic shaking. Completion of the proposed project would result in similar infrastructure as existing conditions. Therefore, impacts would be less than significant.

iii) Seismic-related ground failure, including liquefaction?

Less Than Significant Impact With Mitigation Incorporated. Liquefaction is a secondary hazard generated from strong seismic shaking that occurs in loose water-saturated sandy soils with a shallow water table. Strong seismic shaking causes the water table to temporarily pull aggregates apart, turning soils from a solid into a liquid-like state and may cause the subsidence or tilting of structures and utilities to rise to the surface. Areas susceptible to liquefaction are mapped as regulatory zones by the California Geological Survey (CGS) under the Seismic Hazard Mapping Act.

According to the Department of Conservation's CGS Earthquake Zones of Required Investigation, the project site is located within a Liquefaction Zone of Required Investigation. As such, the repair of the culvert system and the roadway could be susceptible to liquefaction if not designed properly. A Geotechnical Report and supplemental materials were produced for the proposed project by BSK Associates in 2024 (Appendix D). Appendix D contains recommendations to address seismic-related ground failure, such as conducting deeper foundation excavations if loose or soft soil is encountered. Appendix D recommends retaining a Certified Engineering Geologist (CEG) to monitor proposed project construction. As such, MM GEO-1 would be incorporated as part of the proposed project to ensure existing soil conditions and applicable recommendations are consistent with those included in Appendix D.

Furthermore, the proposed project would not develop any structures intended for occupancy that could expose individuals to seismically induced liquefaction. Since the proposed project would incorporate MM GEO-1, and completion of the proposed project would be similar to already existing conditions, the proposed project would not result in the injury or loss of individuals from seismically induced liquefaction. Therefore, the proposed project would have a less than significant impact with mitigation pertaining to seismically induced liquefaction.

Potential Impact:

Ground disturbance during the proposed project's construction phase has the potential to contribute to seismic-related ground failure. The following mitigation measure will ensure that design recommendations from the Geological and Geotechnical Investigation Report will be adequately applied during development of the proposed project.

MM GEO-1 **Soil Condition Monitoring:** A Geologist under the supervision of a Certified Engineering Geologist (CEG) working for the Geotechnical Engineer-of-Record, and approved by the Contra Costa County Department of Conservation and Development prior to issuance of any construction permit, shall be retained for construction of the proposed project. The CEG shall monitor for soil stability prior to and during all excavations and earthwork activities for construction of the proposed project. The CEG shall evaluate the applicability of the recommendations presented in the Geological & Geotechnical Investigation Report by BSK Associates to the subsurface conditions encountered. If required, the CEG shall recommend appropriate changes in design or construction procedures if conditions differ from those outlined in the report.

iv) Landslides?

Less Than Significant Impact With Mitigation Incorporated. Landslides are the downslope movement of earthen materials that are typically located on steep slopes comprised of weak soils and rock that can be generated from strong seismic shaking. The project site is located on relatively steep terrain consisting of an approximate 45-foot elevation gain from Old San Pablo Dam Road from the east to San Pablo Dam Road to the west. The General Plan Health and Safety Element identifies the project site as being within an area having significant slopes with past landslide activity. The project site is also in direct proximity to Landslide Zones of Required Investigation by the CGS. As such, the repair of the culvert system and roadway could be susceptible to seismically induced landslides if not designed properly.

A geotechnical report and supplemental materials were prepared for the proposed project and are included in Appendix D. Appendix D includes design recommendations to reduce impacts pertaining to weak soil conditions that could induce landslides. These recommendations include conducting deeper foundation excavations if loose or soft soil is encountered and the utilization of contact grouting around the exterior of the pipes to ensure that the newly installed pipes are properly supported and embedded in appropriate material. Grouting would also assist in stabilizing compromised soils between the culvert system and roadway surface. These recommendations would be implemented appropriately with the incorporation of MM GEO-1. In addition, the proposed project would not construct any structures intended for occupancy that could expose individuals to seismically induced landslides. Moreover, according to Appendix D, no landslides have been previously recorded on the project site. Since the proposed project would

incorporate MM GEO-1, and completion of the proposed project would be similar to already existing conditions, the proposed project would not result in the risk of injury or loss of individuals from seismically induced landslides. Therefore, the proposed project would have a less than significant impact with mitigation related to seismically induced landslides.

b) Would the project result in substantial soil erosion or the loss of topsoil?

Less Than Significant Impact: The proposed project would involve construction activities that could increase the rate and amount of soil erosion. While the proposed project disturbs less than one acre of soil and no Storm Water Pollution Prevention Plan (SWPPP) is required under the 2022 National Pollutant Discharge Elimination System (NPDES) Construction Stormwater Construction General Permit, a Water Pollution Control Plan for compliance with County standards will be prepared prior to construction, which establishes stormwater pollution prevention measures for construction projects less than one acre in size through implementing good housekeeping BMPs to manage non-stormwater discharges. These measures include, but are not limited to, mulching or hydroseeding, perimeter sediment control, and the installation of temporary sediment basins. Lastly, the proposed project would be required to comply with General Plan Goals and Policies such as Policy PFS-A5.4, mandating programs for development projects along watercourses to include erosion control. Since the proposed project would be required to comply with State and local regulations on soil erosion, the proposed project would not result in substantial soil erosion or the loss of topsoil. Therefore, the proposed project would have a less than significant impact on soil erosion and the loss of topsoil.

c) Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

Less Than Significant Impact With Mitigation Incorporated: According to the United States Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS) Web Soil Survey, the project site is located on the Altamont – Fontana Complex Soil Series which typically consists of a soil profile of clays and silty clay loam with residuum weathered from sandstone and shale as the parent material.

Landslides: As previously discussed above, the proposed project is on relatively steep terrain with an approximate 45-foot elevation gain. The CGS delineates a Landslide Zone of Required Investigation in direct proximity to the project site and the General Plan Health and Safety Element identifies the project area as previously experiencing landslide activity. Furthermore, the Altamont and Fontana Soil Series have properties that can generate medium to very rapid runoff that could result in a higher susceptibility to landslides. As such, although no landslides have been recorded on the project site, the proposed project could be located on unstable soils that could result in landslides. As discussed in Impact 7((a) above, Appendix D includes design recommendations to reduce impacts pertaining to weak soil conditions that could induce landslides. These recommendations include conducting deeper foundation excavations if loose or soft soil is encountered and the utilization of contact grouting around the exterior of the pipes to ensure that the newly installed pipes are properly supported and embedded in appropriate material. Implementation of MM GEO-1 would ensure that the applicable recommendations are incorporated into development of the proposed project. Since design recommendations from the geotechnical report would be incorporated into the proposed project to prevent project generated landslides via MM GEO-1, the proposed project would not result in any on- or off-site landslides.

Therefore, impacts on project-induced landslides would be less than significant with mitigation incorporated.

Liquefaction: Soils susceptible to liquefaction are loosely consolidated sandy soils with a shallow groundwater table. The CGS delineates the project site within a Liquefaction Zone of Required Investigation indicating a shallow water table in recently deposited sands and silts that are likely associated with the intermittent drainage beneath San Pablo Dam Road. As such, the proposed project could be located beneath soils susceptible to liquefaction. Appendix D contains recommendations to address seismic-related ground failure, such as conducting deeper foundation excavations if loose or soft soil is encountered. Grouting would also assist in stabilizing compromised soils between the culvert system and roadway surface. Implementation of MM GEO-1 would ensure that the applicable recommendations are incorporated into development of the proposed project to minimize potential hazards. Therefore, the proposed project would have a less than significant impact on project-induced liquefaction with mitigation incorporated.

Lateral Spreading: Lateral spreading is a phenomenon generated from liquefaction that occurs on nearly horizontal slopes with a soil profile comprised of coherent materials overlaying saturated and loose sediments. The project site is delineated within a Liquefaction Zone of Required Investigation by the CGS and is situated on steep terrain where some slopes may be nearly horizontal. As such, the project site may be in an area susceptible to lateral spreading. However, as previously described above, Appendix D contains recommendations to reduce impacts related to soil conditions. Appendix D recommends utilization of compaction grouting to assist in stabilizing compromised soils between the culvert system and roadway surface, along with contact grouting around the exterior of the pipes to ensure that the newly installed pipes are properly supported and embedded in appropriate material. Implementation of MM GEO-1 would ensure that the applicable recommendations are incorporated into development of the proposed project to minimize potential of project-induced lateral spreading. Therefore, the proposed project would not result in the instability of soils resulting in lateral spreading and impacts would be less than significant with mitigation incorporated.

Subsidence: Subsidence is the gradual and widespread sinking of the surface that can occur naturally through underlying soil conditions, or from the overexploitation of resources such as groundwater resulting in the compaction of sediments. Soils highly susceptible to natural subsidence are clays and silts, due to their shrink and swell potential. As such, the project site could be located on unstable soils susceptible to subsidence, or could generate subsidence from additional loading. Appendix D includes design recommendations to reduce impacts pertaining to underlying soil conditions that could contribute to subsidence. These recommendations include conducting deeper foundation excavations if loose or soft soil is encountered and the use of grouting to assist in stabilizing compromised soils between the culvert system and roadway surface. Implementation of MM GEO-1 would ensure that the applicable recommendations are incorporated into development of the proposed project. Since the proposed project would incorporate MM GEO-1, the proposed project would not result in project-induced subsidence. Therefore, the proposed project would have a less than significant impact related to project-induced subsidence.

Collapse: Collapsible soils are soils having a structure with sand and silt sized particles held together by clay with high void ratios that reduce in volume from wetting or additional loading. Naturally occurring collapsible soil typically occurs in loosely unconsolidated materials either at the surface or at considerable depths and can be further exacerbated from additional sources of

wetting including alterations in stormwater runoff. However, the proposed project would improve stormwater infrastructure on the project site and would be designed in compliance with design recommendations of a project-specific geotechnical report. Since the proposed project would prepare a geotechnical investigation and report that would address soil stability and provide design recommendations to prevent collapse, the proposed project would not result in project-induced collapse. Therefore, the proposed project would have a less than significant impact related to project-induced collapse.

d) Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

Less Than Significant Impact: Expansive soils are high plasticity clays or silty clays that experience significant volume changes with the removal or addition of moisture. As such, soils on the project site may have expansive capabilities. However, the proposed project does not involve the construction of any structures. Rather, it requires the repair of an existing culvert system and a segment of San Pablo Dam Road in a manner that would improve functioning of stormwater infrastructure and increase roadway safety along San Pablo Dam Road. As such, the proposed project would not create any direct or indirect risk to life or property generated from expansive soils, and the proposed project would have a less than significant impact pertaining to expansive soils.

e) Would the project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

No Impact: The proposed project would involve the replacement and repair of an existing culvert system and a segment of San Pablo Dam Road. No structures are proposed that would require the installation of a septic tank or alternative wastewater disposal system. As such, there would be no impact on septic tanks or alternative wastewater disposal systems.

f) Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Less Than Significant Impact With Mitigation Incorporated: Fossils are nonrenewable paleontological resources that consist of large or small identifiable vertebrate, or invertebrate, plant, or trace fossils that provide critical information for a range of scientific disciplines and require protection from impacts generated from development projects as mandated by federal, State, and local rules and regulations. Areas that have high paleontological potential for uncovering significant paleontological resources have a stratigraphy comprised of sedimentary formations temporally or lithologically suitable for the preservation of fossils such as fine-grained fluvial and marine sandstones and argillaceous paleosols, while areas of low potential have rock units comprised of basalt flows and colluvium. Furthermore, paleontological resources are usually found in areas consisting of a geomorphology of lower elevated areas where deposition historically occurred such as alluvium deposits associated with floodplains and basins.

Geologic mapping identifies the project site to be situated on the Orinda Formation that has previously yielded many plants and vertebrate fossils. A record search using the University of California Museum of Paleontology (UCMP) Locality Search Online Database was conducted to identify any potential fossil localities on or in proximity to the project site. Although the UCMP Locality Search Online Database does not provide the absolute location for its fossil localities,

each locality has a locality name that may provide the relative location of the fossil locality that can be used to determine its distance from the project site. A search for fossil localities in Contra Costa County within the Orinda Formation yielded 23 vertebrates including those from the Caldecott Tunnel, 14 invertebrates, and five microfossils. Locality names included San Pablo Ridge, San Pablo Creek Valley, and Wildcat Canyon.

Overall, the project site is situated on the Orinda Formation which consists of sedimentary deposits that previously underwent deposition and has yielded many fossil localities. As such, any excavation or ground disturbance at greater depths has the potential for uncovering significant paleontological resources. Therefore, construction activities from the proposed project would incorporate MM GEO-2, which requires a temporary halt in all ground-disturbing activities if potential paleontological materials are discovered. With the implementation of MM GEO-2, the proposed project would not directly or indirectly destroy a unique paleontological resource, and impacts would be less than significant.

Potential Impact:

Ground disturbance during the project's construction phase has the potential for disturbing previously unknown unique paleontological resources. In addition to the mitigation measures for Cultural Resources, the following mitigation measures will ensure that in the event unique paleontological resources are discovered, the proper actions are taken to reduce the adverse environmental impacts to unique paleontological resources to a less than significant level.

MM GEO-2 **Paleontological Resource Discovery:** Should unique paleontological materials be uncovered during grading, trenching, or other on-site excavation(s), the County shall be immediately notified, and all earthwork within 100 feet of the materials shall be stopped immediately until a qualified Paleontologist is contacted and retained to evaluate the significance of the find. If the find is not significant, work may resume. If the find is potentially significant, the Paleontologist, in coordination with the County, would implement appropriate sampling, salvaging, identification, and reporting procedures consistent with California Public Resources Code 30244.

Sources of Information

California Department of Conservation. California Geological Survey (CGS). EQ Zapp: California Earthquake Hazards Zone Application. Website: https://maps.conservation.ca.gov/cgs/informationwarehouse/eqzapp/. Accessed August 13, 2025.

Contra Costa County. 2045 General Plan. Chapter 9: Health and Safety Element. Website: https://www.contracosta.ca.gov/DocumentCenter/View/84950/Chapter-9---Health-and-Safety-Element-PDF. Accessed August 13, 2025.

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Darwin Meyers Associates. 2020. Geologic Peer Review–30 Day Comments. June.

United States Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS). Web Soil Survey. Website: https://websoilsurvey.nrcs.usda.gov/app/HomePage.htm. Accessed August 13, 2025.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
8. *GREENHOUSE GAS EMISSIONS–Would the project:*				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

SUMMARY:

a) Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Less Than Significant Impact. GHG emissions would occur during construction activities associated with implementation of the proposed project. GHG emissions would also come from the use of trucks transporting equipment and material to/from the site, and from the motor vehicles of the construction workers. GHG emissions were estimated using CalEEMod; detailed assumptions and outputs are available in Appendix A. Construction-related GHG emissions associated with the proposed project were estimated as 132 tons in total. The analysis assumes that construction would begin in 2026 and last approximately 115 working days. As vehicle and equipment fuel efficiencies and emission control standards continue to incrementally improve each year, construction emissions would be likely to decrease nominally and therefore, the GHG emissions estimated from construction of the proposed project represent a conservative assessment should the construction schedule move to later years.

The Bay Area Air District's 2022 CEQA Guidelines do not propose a construction-related climate impact threshold. However, the California Governor's Office of Land Use and Climate Innovation (LCI) supports the use of qualitative thresholds based on consistency with applicable regulations, plans, policies, and regulatory programs as a valid approach for evaluating GHG impacts under CEQA. This includes assessing whether a project aligns with State climate goals, local Climate Action Plans, standard conditions or ordinances, and other adopted frameworks for GHG reduction. When a project demonstrates such consistency, it provides substantial evidence that its incremental contribution to climate change is not cumulatively considerable and is therefore less than significant. Once the proposed project is complete, there will be no operational GHG emissions. The proposed project components include site preparation, demolition, grading trenchless culvert installation, grouting, concrete work, and roadway rehabilitation. Once this work is complete, the proposed project would not have any associated GHG emissions. Thus, in comparing against Bay Area Air District's operational-related thresholds of significance for GHGs, there will be no natural gas use, no inefficient energy use and no Vehicle Miles Traveled (VMT) generated. There would be no parking, and therefore the electric vehicle (EV) infrastructure component of the GHG thresholds is not applicable.

Therefore, impacts would be less than significant.

b) Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Less Than Significant Impact. The proposed project is located in Contra Costa County. The analysis considers whether the proposed project would conflict with or obstruct the CAAP adopted in 2024 and the 2022 ARB Scoping Plan.

Contra Costa County Climate Action and Adaptation Plan

The CAAP establishes a framework to reduce GHG emissions 40 percent below 1990 levels by 2030 and prepare for climate-related hazards. Overall, the proposed project aligns with the CAAP's initiatives, particularly those focused on infrastructure resilience and low-emission construction practices. Relevant initiatives include mitigating air quality impacts and minimizing vegetation loss and requiring revegetation with native species (NI-4 Actions). In addition, CAAP initiatives include working with contractors, fleet operations, logistics companies and other operators of heavy-duty vehicles to accelerate to zero-emission heavy-duty vehicles (TR-2 Actions). Overall, the proposed project's trenchless methods, revegetation plan, and storm-resilient culvert design support the County's climate adaptation priorities.

Furthermore, the CAAP focuses on reducing long-term operational emissions from land use, energy, and transportation. The proposed project would not result in new operational-related vehicle trips or buildings, would improve transportation infrastructure resilience, and would incorporate erosion control and revegetation methods. Therefore, the proposed project is consistent with the County's CAAP.

2022 Scoping Plan

The proposed project is consistent with the 2022 Scoping Plan, which outlines the State's strategy to reduce GHG emissions 85 percent below 1990 levels by 2045 and achieve net-zero emissions economy-wide by 2045. Specifically, the proposed project aligns with the 2022 Scoping Plan's emphasis on resilient infrastructure and climate adaptation, as identified in Chapter 4 (Carbon Neutrality) and Chapter 8 (Natural and Working Lands). By upgrading critical storm-damaged culverts and stabilizing the roadway to withstand future extreme weather events, the proposed project supports the 2022 Scoping Plan's goals of investing in climate-resilient infrastructure and reducing vulnerability to climate impacts (Climate Resilience). Use of trenchless construction methods are consistent with the 2022 Scoping Plan's support for low-emission construction practices.

Therefore, impacts related to conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases would be less than significant.

Sources of Information

CalEEMod Output Report, Appendix A.

California Air Resources Board (ARB) and the California Governor's Office of Land Use and Climate Innovation (LCI). 2023. CEQA 202 Series: Greenhouse Gas Emissions. Website: https://lci.ca.gov/ceqa/docs/20230517- CEQA_202_GHGAnalysis_Slides.pdf. Accessed August 12, 2025.

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Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
9. *HAZARDS AND HAZARDOUS MATERIALS–Would the project:*				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment?	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☐	☒
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☒	☐	☐

SUMMARY:

a) Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Less Than Significant Impact:

During construction, construction vehicles will travel to and from the project site. Examples of construction vehicles include, but are not limited to: excavators, graders, scrapers, loaders, sweepers/scrubbers, plate compactors, vibratory compactors, rollers, backhoes, cranes, drill rigs, concrete pump trucks, generators, water trucks, storage/sedimentation tanks, and pavers. Portable construction trailers (portable office structure), pneumonic hammer, and a jack and bore machine would also be placed at each site. Dewatering equipment would be used, including, but not limited to: coffer dams, pumps, and bypass lines. This equipment may require the use of fuels and other common liquids that have hazardous properties (e.g., fuels, oils, fluids that are flammable) but they would be handled in small quantities that would not create a substantial hazard for construction workers and/or the public. Furthermore, the transportation, use, and disposal of

hazardous materials would be subject to federal and State regulations such as the Hazardous Materials Transportation Act, the California Health and Safety Code, and California Code of Regulations Title 8, which establish regulations on identifying, packaging, and labeling hazardous materials and waste, hazardous material safety training and supervision, and permit requirements for the transportation and disposal of hazardous waste.

Operation of the proposed project would require routine maintenance, similar to existing infrastructure throughout the County. The proposed project would not require routine transportation, use, or disposal of hazardous materials. Compliance with federal, State, and local hazardous materials regulations would minimize the risk to the public presented by these potential hazards during construction of the Project. Therefore, the proposed project would have a less than significant impact.

b) *Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?*

Less Than Significant Impact: As discussed above, construction of the proposed project would involve the temporary use of hazardous materials. Although there are numerous ways an accident can occur that could release hazardous materials into the environment, those that are reasonably foreseeable due to the nature of the proposed project would involve vehicles transporting hazardous materials and waste to and from the project site, where collisions could release hazardous materials or waste into the surrounding environment, or accidental exposure of construction workers through the misuse of hazardous materials on the project site.

However, use of construction-related hazardous materials would occur in compliance with established federal and State regulations, including the Hazardous Materials Transportation Act, Health and Safety Code, and California Code of Regulations Title 8. Specifically, California Code of Regulations Title 8 provides regulations on the identification, packaging, and labeling of hazardous materials and waste, employee safety training, and establishes procedures for identifying and evaluating workplace hazards such as conducting frequent inspections to ensure corrective action is taken. Therefore, following compliance with established regulations and policies, the proposed project would have a less than significant impact regarding release of hazardous materials into the environment.

c) *Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?*

No Impact: There are no schools located within 0.25 mile of the project site. The nearest school is the Wagner Ranch Elementary School located approximately 1.6 miles southeast of the project site. Additionally, no proposed schools are located within a quarter mile of the project site, as it is surrounded by undeveloped lands managed by the EBMUD for recreational and watershed management purposes. Since no existing or proposed schools are located within a quarter mile of the project site, the proposed project would not emit or handle hazardous materials or substances within a school and no impact would occur.

d) Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

No Impact: The Cortese List is managed by the California Department of Toxic Substances Control (DTSC) and the California State Water Resources Control Board (State Water Board). The DTSC provides a list of hazardous waste facilities and sites subject to corrective action, while the State Water Board compiles a list of sites with Leaking Underground Storage Tanks (LUSTs), solid waste disposal sites with waste discharges outside their management unit, and sites with active cease and desist and cleanup and abatement orders. According to the Cortese List, the project site is not located on any hazardous materials sites from the types of sites listed above. Therefore, the proposed project would have no impact pertaining to hazardous materials sites.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?

No Impact: The project site is not located within 2 miles of a public airport or within the boundaries of an airport land use plan. The closest public airport is the Buchanan Field Airport located approximately 10.6 miles east of the project site. Therefore, the proposed project would not present any safety or noise hazards for people working in the project area and no impact would occur.

f) Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Less Than Significant Impact: The Contra Costa County 2024 Hazard Mitigation Plan is the applicable emergency response and evacuation plan for the County. The 2024 Hazard Mitigation Plan is compiled into the General Plan Health and Safety Element which identifies emergency response strategies and evacuation routes depending on the type and extent of the disaster. The General Plan Health and Safety Element distinguishes San Pablo Dam Road as a potential evacuation route. In addition, the proposed project is located within the Moraga-Orinda Fire Protection District, which strives to maintain an emergency response time of 6 minutes 90 percent of the time.

A traffic control plan would be prepared and approved prior to construction, which would ensure emergency vehicles would have access at all times. Roadwork phasing would ensure that one lane is open at all times.

Following construction, all obstructions would be removed to ensure the roadway is restored for safe and efficient travel. Since the proposed project would maintain access to emergency vehicles at all times; would maintain fire apparatus access road requirements; and the Moraga-Orinda Fire Protection District would be able to serve the project site within its established response time threshold in the event of an emergency, the proposed project would not impair or physically interfere with an emergency response or evacuation plan. Therefore, the proposed project would have a less than significant impact related to impairing or interfering with an emergency response or evacuation plan.

g) Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

Less Than Significant Impact With Mitigation Incorporated: The California Department of Forestry and Fire Protection (CAL FIRE) designates State Responsibility Areas (SRAs) and Local Responsibility Areas (LRAs) into Moderate, High, or Very High Fire Hazard Severity Zones (FHSZs). The project site is located within a Very High FHSZ within a SRA. Although the proposed project would not develop any structures or affect residences or gathering places that could potentially be exposed to wildland fires, construction of the proposed project could expose construction workers to an area highly susceptible to wildland fires. As such, the proposed project would incorporate MM HAZ-1 to reduce potential fire risk for construction workers, in turn mitigating potential for wildfire spread to surrounding areas. Lastly, Moraga-Orinda Fire Protection District Station 45 would be able to provide services to the project site within its established 6-minute response threshold for emergency situations. Since the proposed project would incorporate MM HAZ-1 and would be adequately served by the Moraga-Orinda Fire Protection District, impacts related to wildland fire exposure would be less than significant impact with mitigation incorporated.

Potential Impact:

The project site is located within a Very High FHSZ and construction of the proposed project could expose construction workers to an area highly susceptible to wildland fires. The following mitigation measure will ensure that risks related to wildland fires are reduced to a less than significant level.

MM HAZ-1 **Wildfire Safety Procedures:** During project construction, staging and equipment/vehicle parking areas shall be cleared of dead vegetation that could serve as fuel for combustion. The clearing shall include vegetation trimming within a few inches of the ground. No grading shall take place as part of the vegetation clearing. Additionally, fire extinguishers will be kept on-site. If work is to be performed during the dry season, workers shall be informed of wildland fire risk and measures to prevent it via brochures and worker awareness training.

Sources of Information

California Building Standards Commission. 2025 California Fire Code, California Code of Regulations, Title 24, Part 9. Website: https://codes.iccsafe.org/content/CAFC2025P1. Accessed November 7, 2025.

California Department of Toxic Substances Control (DTSC). Hazardous Waste and Substances Site List (Cortese). Website: https://dtsc.ca.gov/dtscs-cortese-list/. Accessed August 15, 2025.

California State Geoportal. California Fire Hazard Severity Zone Viewer. Website: https://gis.data.ca.gov/datasets/789d5286736248f69c4515c04f58f414. Accessed August 15, 2025.

Contra Costa County. 2045 General Plan. Chapter 9: "Health and Safety Element. Website: https://www.contracosta.ca.gov/DocumentCenter/View/84950/Chapter-9---Health-and-Safety-Element-PDF. Accessed November 7, 2025.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
10. *HYDROLOGY AND WATER QUALITY–Would the project:*				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	☐	☐	☒	☐
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☐	☒
c) Substantially alter the existing drainage pattern of area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	☐	☐	☒	☐
i) Result in substantial erosion or siltation on- or off-site?	☐	☐	☒	☐
ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	☐	☐	☒	☐
iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☒	☐
iv) Impede or redirect flood flows?	☐	☐	☒	☐
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☐	☒
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☒	☐

SUMMARY:

a) Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?

Less Than Significant Impact: The project site is located within the San Pablo Hydraulic Planning Area, where surface waters in the watershed are diverted into the San Pablo Reservoir prior to being transferred northbound into the San Pablo Creek and conveyed into the San Pablo Bay. As previously discussed, the proposed project would implement construction activities such as demolition and excavation, and would utilize construction appliances such as diesel fuels, aggregates, concretes, and metals for the repair of an existing culvert system located in an intermittent drainage that directs water to the San Pablo Reservoir. As such, the proposed project would introduce dredged or fill material into the intermittent drainage and could discharge toxic pollutants into the San Pablo Reservoir resulting in potentially violating water quality standards. However, the proposed project would be subject to the CWA and would be required to request a Section 401 Certification from the San Francisco Bay San Francisco Bay RWQCB, who would evaluate whether the proposed project would be consistent with regional water quality objectives,

and obtain either an individual or general permit under Section 404 of the CWA through review by the USACE, where the applicant would demonstrate measures taken to minimize any discharges into streams or other surrounding water bodies. The proposed project is exempt from provision C.3 of the Municipal Regional Stormwater NPDES permit (MRP), because it is a road project that does not create any additional traffic lanes and creates less than 10,000 square feet of new impervious surface.

While the proposed project disturbs less than 1 acre of soil and no SWPPP is required under the 2022 NPDES Construction Stormwater Construction General Permit, a Water Pollution Control Plan for compliance with County standards would be prepared prior to construction including stormwater pollution prevention measures for construction projects less than 1 acre in size with implementation of good housekeeping BMPs to manage non-stormwater discharges. These BMPs would include, but are not limited to, mulching or hydroseeding, perimeter sediment control, and the installation of temporary sediment basins. Since the proposed project would implement a Water Pollution Control Plan, the proposed project would not substantially degrade surface or groundwater quality. Therefore, the proposed project would have a less than significant impact pertaining to surface and groundwater quality.

b) Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

No Impact: The proposed project would not construct any groundwater wells or introduce any land uses requiring the extraction of groundwater. Furthermore, the proposed project would not introduce any new impervious surfaces that could interfere with groundwater recharge, as the project site largely consists of pervious surfaces including dense vegetated areas and the intermittent drainage, and any stormwater that accumulates on San Pablo Dam Road would be conveyed into the repaired concrete flume, directing water to the intermittent drainage and pervious surfaces. Since the proposed project does not require any groundwater extraction, and would not remove any pervious surfaces, the proposed project would not impede sustainable groundwater management of the basin, and no impact would occur.

c) Would the project substantially alter the existing drainage pattern of area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

i) Result in substantial erosion or siltation on- or off-site?
ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site
iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?
iv) Impede or redirect flood flows?

Less Than Significant Impact (*i-iv*): The proposed project would involve the repair of an existing culvert system beneath San Pablo Dam Road that allows water to convey through an intermittent drainage toward the San Pablo Reservoir. Construction activities would include demolition, excavation, grouting, and the removal of approximately 27 trees that could alter existing drainage patterns of the project area. However, the proposed project would comply with many applicable federal and State regulations, including Section 401 and Section 404 of the CWA.

As noted in Impact 10(a) above, the proposed project would disturb less than 1 acre of soil, and no SWPPP would be required under the 2022 NPDES Construction Stormwater Construction General Permit. However, a Water Pollution Control Plan for compliance with County standards would be prepared prior to construction. Specifically, the proposed project would utilize good housekeeping BMPs for construction projects such mulching or hydroseeding, perimeter sediment control, and the installation of temporary sediment basins. Furthermore, the proposed project would not increase the impervious area or contribute runoff water that would exceed the capacity of the planned drainage system. The proposed project would repair the damaged culvert system through restoring previous hydraulic conditions and would further implement permanent erosion control measures and revegetation of any disturbed areas after construction is completed. Therefore, compliance with federal, State, and local rules and regulations would ensure that alterations would not generate erosion, higher runoff rates, or any on or off-site flooding hazards and impacts would be less than significant.

d) *In flood hazard, tsunami, or seiche zones, would the project risk release of pollutants due to project inundation?*

No Impact: The Federal Emergency Management Agency (FEMA) develops Flood Insurance Rate Maps (FIRMs) which delineate Special Flood Hazard Areas (SFHAs), being the land area covered by the floodwaters of a base flood, having a 1 percent chance of experiencing a flood that could equal or exceed historic levels in any given year. The project site is not delineated within a SFHA; the closest SFHA is approximately 0.1 mile east of the project site. Furthermore, the project site is not located in a tsunami hazard zone, as it is located inland and 390 feet AMSL. Although the project site is in proximity to the San Pablo Dam Reservoir, an enclosed reservoir that could be capable of generating a seiche, the project site is approximately 65 feet higher in elevation than the San Pablo Reservoir and as such, any waves generated from a seiche would not be anticipated to inundate the project site. Since the project site is not located in any flood hazard or tsunami hazard zone, and no waves generated by a seiche would be high enough to impact the project site, the proposed project would not risk the release of pollutants due to project inundation. Therefore, the proposed project would have no impact related to project inundation.

e) *Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?*

Less Than Significant Impact: The San Francisco Bay RWQCB Water Quality Control Plan for the San Francisco Bay Basin (Basin Plan) governs surface and groundwater quality in the region and outlines beneficial uses and water quality objectives to maintain those beneficial uses, including the San Pablo Reservoir. Although the project site is outside a groundwater basin, it drains into the Santa Clara Valley – East Bay Plain Subbasin, making the East Bay Plain Groundwater Sustainability Plan (GSP) the applicable groundwater sustainability plan that defines six undesirable results ranging from groundwater depletion to contamination, to ensure continued sustainability of the groundwater basin.

The proposed project would include demolition, excavation, concrete pouring, and tree removal that could increase surface runoff and discharge pollutants conflicting with the Basin Plan or GSP. However, the proposed project is required to comply with the CWA through obtaining a Section 401 Certification by the RWQCB and a Section 404 permit from the USACE. In addition, the proposed project would adhere to stormwater pollution prevention, under the NPDES

Construction General Permit, for projects disturbing less than one acre of land through implementing good housekeeping BMPs to prevent the discharge of stormwater pollutants.

The proposed project would not involve any groundwater extraction or add new impervious surfaces and would manage disturbed areas through revegetation and hydroseeding that would be similar to pre-project conditions. Therefore, the project would not influence any undesirable results that would conflict with the GSP. Since the proposed project would comply with federal and State regulations, would implement good housekeeping BMPs, and would not involve any uses that could interfere with groundwater levels, the proposed project would not conflict or obstruct implementation of the Basin Plan or East Bay Plain Subbasin GSP. Therefore, the proposed project would have a less than significant impact pertaining to water quality control and sustainable groundwater management plans.

Sources of Information

California Department of Conservation. Contra Costa County Tsunami Inundation Maps. Website: https://www.conservation.ca.gov/cgs/Pages/Tsunami/Maps/ContraCosta.aspx. Accessed August 13, 2025.

Central Calley Regional Water Quality Control Board (Central Valley RWQCB). The Water Quality Control Plan (Basin Plan). Website: https://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/sacsjr_201902.pdf. Accessed August 13, 2025.

United States Department of Homeland Security. Federal Emergency Management Agency (FEMA) Flood Map Service Center (MSC). Website: https://msc.fema.gov/portal/home. Accessed August 13, 2025.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
11. *LAND USE AND PLANNING–Would the project:*				
a) Physically divide an established community?	☐	☐	☐	☒
b) Cause a significant environmental impact due to conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐

SUMMARY:

a) Would the project physically divide an established community?

No Impact: The physical division of an established community would occur if construction of the proposed project would remove or impair any infrastructure that provides connection to an existing community. The proposed project would involve the repair of an existing culvert system and excavation of a segment of San Pablo Dam Road. Although the proposed project could temporarily impede the use of San Pablo Dam Road, no established community is located on or in proximity to the project site, as the surrounding area is undeveloped and managed by EBMUD for recreation and watershed management. As previously discussed in the Project Description, the project site is located in an area with a General Plan Land Use Designation of Resource Conservation (RC) that is intended for resource management and low-intensity agricultural and recreational uses within watersheds, reservoirs, or ecologically sensitive areas and allows for the construction and maintenance of public and semi-public infrastructure such as roads and drainage culverts, including the proposed project. Therefore, the proposed project would have no impact regarding physical division of an established community.

b) Would the project cause a significant environmental impact due to conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

Less Than Significant Impact: As previously discussed, the project site and surrounding area are managed by the EBMUD for recreational and watershed management purposes and is designated by the General Plan as RC and zoned as A-80. Neither the RC Land Use designation nor the A-80 Zoning District allow the establishment of urban land uses. The proposed project would involve the repair of an existing culvert system and segment of San Pablo Dam Road and would not introduce any urban uses or structures that would conflict with existing or surrounding uses described in the RC and A-80 District. Rather, the proposed project would implement permanent erosion control measures and revegetation of native species that is consistent with the RC land use designation. Furthermore, the construction and maintenance of public and semi-public infrastructure such as roads and drainage culverts is consistent with the RC land use designation.

Since the proposed project would not introduce any structures or development inconsistent with the RC Land Use Designation and A-80 Zoning District, and on-site mitigation would occur through hydroseeding and native tree planting, the proposed project would not conflict with any

land use plans, policies, or regulations. Therefore, the proposed project would have a less than significant impact on land use plan, policy, or regulation consistency.

Sources of Information

Contra Costa County. 2045 General Plan. Chapter 4: Land Use Element. Website: https://www.contracosta.ca.gov/DocumentCenter/View/84934/Chapter-4---Land-Use-Element-PDF. Accessed August 13, 2025.

Contra Costa County. 2045 General Plan. Chapter 7: Conservation, Open Space, and Working Lands Element. Website: https://www.contracosta.ca.gov/DocumentCenter/View/84948/Chapter-7--Conservation-Open-Space-and-Working-Lands-Element-PDF. Accessed August 13, 2025.

Contra Costa County Code. Title 8 – Zoning. Website: https://library.municode.com/ca/contra_costa_county/codes/ordinance_code?nodeId=TIT8ZO. Accessed August 13, 2025.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
12. *MINERAL RESOURCES–Would the project:*				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State?	☐	☐	☐	☒
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

SUMMARY:

a) Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State?

No Impact: According to the General Plan, the project site is not located within an area containing known mineral resources that would be of value to the region or residents of the State. As stated above, neither the State Geologist nor the State Mining and Geology Board has classified the project site as containing mineral deposits which are either of Statewide significance or of significance which requires further evaluation. As such, no impact would occur.

b) Would the project result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

No Impact: According to the General Plan, the project site is not within a locally important mineral resource recovery site. As a result, the proposed project would not result in the loss of availability of a locally important mineral recovery site. No impact would occur.

Sources of Information

Contra Costa County. 2045 General Plan. Chapter 7: Conservation, Open Space, and Working Lands Element. Website: https://www.contracosta.ca.gov/DocumentCenter/View/84948/Chapter-7--Conservation-Open-Space-and-Working-Lands-Element-PDF. Accessed August 13, 2025.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
13. ***NOISE–Would the project result in:***				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐
b) Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

SUMMARY:

a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Less Than Significant Impact: A significant impact would occur if construction activities would result in the generation of a substantial temporary increase in ambient noise levels which would result in annoyance or sleep disturbance of nearby sensitive receptors. According to Policy HS-P14.7 of the General Plan Health and Safety Element, construction activities shall be limited to weekdays and non-holidays unless site-specific conditions warrant exceptions and should be commissioned to occur during normal work hours of the day.

While the County does not establish substantial temporary noise level increase thresholds for construction activities, this analysis uses the noise limits established by the Federal Transportation Administration (FTA) to identify the potential for impacts due to substantial temporary construction noise. The FTA identifies construction noise limits in the Transit Noise and Vibration Impact Assessment Manual. During daytime hours, a significant temporary increase would be an increase in excess of the average daily noise levels of 80 A-weighted decibel (dBA) equivalent noise level over an 8-hour time period ($L_{eq(8\text{-hour})}$) as measured at a receiving residential land use and 85 dBA $L_{eq(8\text{-hour})}$ as measured at a receiving commercial land use.

Short-term Construction Impacts

Construction is anticipated to last approximately 115 days. Construction is completed in phases, each of which has its own mix of equipment and, consequently, its own noise characteristics. These various sequential phases would change the character of the noise generated on the site and, therefore, the noise levels surrounding the site as construction progresses. Despite the variety in

the type and size of construction equipment, similarities in the dominant noise sources and patterns of operation allow construction-related noise ranges to be categorized by construction phase.

The site preparation and grading phases, which include excavation and grading of the project site, tend to generate the highest noise levels because the noisiest construction equipment is earthmoving equipment. Earthmoving equipment includes excavating machinery and compacting equipment, such as bulldozers, excavators, backhoes, and front loaders. In addition, the project proposes to replace the two existing 72-inch corrugated metal pipes through pipe ramming with 66-inch steel casing pipes through the existing alignment. A pneumatic pipe ram would deliver percussive blows to the rear of the steel pipe, driving it forward.

Construction of the proposed project is expected to require the use of a variety of equipment, and the loudest piece of equipment would be the pneumatic pipe ram (ram hoe type equipment) which generates maximum reference noise levels of 90 dBA L_{max} at 50 feet. Other heavy construction equipment that could operate on the project site have reference noise levels of up to 85 dBA L_{eq}.

The closest noise-sensitive receptors to the proposed project site are single-family residential homes located east of the project site. The closest noise-sensitive receptor would be located approximately 3,600 feet from the acoustic center of construction activity where multiple pieces of heavy construction equipment would potentially operate at the project site. At this distance and assuming no shielding reduction and simultaneous operation of the five loudest pieces of heavy construction equipment, reasonable worst-case construction noise levels would attenuate to 32 dBA L_{eq} at the façade of the nearest sensitive receptor. The reasonable, worst-case calculated 8-hour noise level would be 31 dBA $L_{eq(8\text{-}hour)}$, as measured at this nearest sensitive receptor. However, these reasonable worst-case construction noise levels would occur only periodically throughout the day as construction equipment operates along the nearest project boundaries. Furthermore, terrain and intervening structures block the line of sight and would eliminate potential noise impacts to this nearest sensitive receptor. The calculation spreadsheet with the detailed modeling assumptions is included in Appendix E.

The proposed project would comply with the County's limitations on construction activities to the hours of the day that are not noise-sensitive for adjacent land uses, to provide relative quiet during the more sensitive evening and early morning periods. Additionally, these calculated, conservative and worst-case construction noise levels would not exceed the FTA's threshold of 80 dBA $L_{eq(8\text{-}hour)}$ as measured at the nearest residential receptors. Therefore, the proposed project's construction activities would not result in noise impacts that could result in annoyance or sleep disturbance of nearby sensitive receptors. Therefore, temporary construction noise impacts would be less than significant.

Operational/Stationary Source Noise Impacts

A significant impact would occur if the project would result in a substantial increase in ambient noise levels compared with those that would exist without the proposed project. The proposed project involves improvements to the existing San Pablo Dam Road and does not include construction of any permanent mobile or stationary noise source. Therefore, the proposed project would not result in a substantial temporary or permanent increase in ambient noise levels from operational sources in the project vicinity and the impact would be less than significant.

b) Would the project result in generation of excessive groundborne vibration or groundborne noise levels?

Less Than Significant Impact: A significant impact would occur if the proposed project would generate groundborne vibration or groundborne noise levels in excess of established standards. The County has not adopted criteria for groundborne vibration impacts. Therefore, for purposes of this analysis, the FTA's vibration impact criteria are utilized. The FTA has established industry accepted standards for vibration impact criteria and impact assessment. These guidelines are published in its Transit Noise and Vibration Impact Assessment Manual.

Of the variety of equipment that would be used during construction, pneumatic pipe ram (ram hoe type equipment) would produce the greatest groundborne vibration levels nearest the project boundaries. Conservatively assuming that vibration levels from the pipe ram operations would be equivalent to typical levels of an impact pile driver, vibration levels could range up to 0.644 inches per second (in/sec) peak particle velocity (PPV).

The nearest off-site structure is located approximately 1,300 feet north from the nearest construction footprint where the heaviest construction equipment would potentially operate. At this distance, groundborne vibration levels would range up to 0.0017 in/sec PPV from operation of the types of equipment that would produce the highest vibration levels. This is well below the FTA's construction vibration damage criteria of 0.2 in/sec PPV for this type of structure, a building of nonengineered timber and masonry construction. As a result, construction of the proposed project would not expose nearby buildings to groundborne vibration levels in excess of their applicable FTA damage criteria and this impact would be less than significant.

Operational Vibration Impacts

Implementation of the proposed project would not include any permanent sources that would expose persons in the project vicinity to groundborne vibration levels that could be perceptible without instruments at any receiving property line. In addition, there are no existing significant permanent sources of groundborne vibration in the project vicinity to which the proposed project would be exposed. Therefore, project operational groundborne vibration level impacts would be less than significant.

c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

No Impact: The project site is not located within two miles of a public airport or private airstrip, nor is it located within an area covered by the County's Airport Land Use Compatibility Plan. The nearest airport facility is the Buchanan Field Airport, approximately 10.6 miles northeast of the project site. Thus, the proposed project would not expose people residing or working in the project area to excessive noise levels from either Buchanan Field Airport or a private airstrip and no impact would occur.

Sources of Information

Contra Costa County. 2045 General Plan. Chapter 9: Health and Safety Element – Section 9-59: Noise. Website: https://www.contracosta.ca.gov/DocumentCenter/View/84950/Chapter-9---Health-and-Safety-Element-PDF. Accessed August 13, 2025.

Federal Transit Administration (FTA). 2018. Transit Noise and Vibration Impact Assessment Manual. September. Website: https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/research-innovation/118131/transit-noise-and-vibration-impact-assessment-manual-fta-report-no-0123_0.pdf. Accessed August 8, 2025.

Noise Supporting Information Appendix E

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
14. *POPULATION AND HOUSING–Would the project:*				
a) Induce substantial unplanned population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?	☐	☐	☐	☒
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

SUMMARY:

a) Would the project induce substantial unplanned population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?

No Impact: The proposed project repair involves two trenchless methods—pipe ramming and jack and bore—to replace the existing culvert system while maintaining hydrologic and hydraulic conditions. Additional work proposed includes repairing the roadway, strengthening the compromised roadway embankment, and concrete work. The project is not of the scope or scale to induce substantial unplanned population growth. On-site employees during the construction phase are expected to come from the surrounding area. No residential uses are proposed that would induce unplanned population growth either directly or indirectly. Therefore, no impact would occur.

b) Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement *housing elsewhere?*

No Impact: The proposed project is not developed with residential uses and is not designated by the General Plan or zoned for residential uses. Therefore, project implementation would not necessitate the construction of replacement housing. No impact would occur.

Sources of Information

Contra Costa County. 2045 General Plan. Chapter 10: Growth Management Element. Website: https://www.contracosta.ca.gov/DocumentCenter/View/84951/Chapter-10---Growth-Management-Element-PDF. Accessed August 13, 2025.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
15. ***PUBLIC SERVICES–Would the project*** *result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:*				
a) Fire Protection?	☐	☐	☒	☐
b) Police Protection?	☐	☐	☐	☒
c) Schools?	☐	☐	☐	☒
d) Parks?	☐	☐	☒	☐
e) Other public facilities?	☐	☐	☐	☒

SUMMARY:

Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

a) *Fire Protection?*

Less Than Significant Impact: The Contra Costa County Fire Protection District (CCCFPD) provides fire protection and emergency medical services to unincorporated areas of Contra Costa County. The CCCFPD serves the Contra Costa County community with 26 fire stations and maintains mutual aid agreements with Kensington Fire Protection District, Moraga-Orinda Fire Protection District, Rodeo-Hercules Fire Protection District, and San Ramon Valley Fire Protection District. The proposed project is limited to repairs of existing storm drainage infrastructure and would not be of the scope or scale to result in increased demand for fire protection services. The proposed project would be required to comply with all applicable codes, ordinances and regulations, including requirements for emergency access during construction. As such, impacts would be less than significant.

b) *Police Protection?*

No Impact: The Contra Costa County Office of the Sheriff provides law enforcement to unincorporated areas of Contra Costa County. The Office of the Sheriff maintains four bureaus: Administration Services, Custody Services, Field Operations, and Support Services. The proposed project would not increase the residential population of the County and would not require police protection at any time. Therefore, no impact would occur.

c) *Schools?*

No Impact: The proposed project does not propose development of new housing. Employees during construction of the project are expected to come from the local area for a temporary duration anticipated to be a maximum of 115 days and would not cause indirect increases in K-12 enrollment. The proposed project would not create a need for new or expanded school facilities. No impact would occur.

d) *Parks?*

Less Than Significant Impact: The proposed project does not propose development of new housing and therefore, would not directly increase the demand for parks. As a proposed repair, the proposed project would not generate visitors nor on-site employees once operational. However, Inspiration Trail connects to San Pablo Dam Road immediately adjacent to the north of the project site. Inspiration Trail provides access to Tilden Regional Park, approximately 4,745 feet southwest of the project site. Construction activities associated with the proposed project would potentially disturb access to the terminus of Inspiration Trail. Proposed project construction would be temporary and would not permanently block access to Inspiration Trail. Moreover, Inspiration Trail would still be accessible via the two connections at Inspiration Point and along Nimtz Way. As a result, the proposed project would not create a need for new or expanded park facilities. No impact would occur.

e) Other public facilities?

No Impact: There are many public facilities within the County, such as multiple library branches, sports facilities, and community centers. The proposed project does not include a residential land use component, and no public facilities are located within a 0.50-mile radius of the project site. As a result, the proposed project would not create a need for new or expanded public facilities. No impact would occur.

Sources of Information

Contra Costa County. 2045 General Plan. Chapter 10: Growth Management Element. Website: https://www.contracosta.ca.gov/DocumentCenter/View/84951/Chapter-10---Growth-Management-Element-PDF. Accessed August 13, 2025.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
16. *RECREATION*				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	☐	☐	☒	☐

SUMMARY:

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

No Impact: The proposed project is in an undeveloped area with no existing neighborhoods. However, the proposed project is proximal to other recreational facilities, including Inspiration Trail and the San Pablo Reservoir. The proposed project would provide maintenance to an existing culvert system and would restore San Pablo Dam Road. As such, the proposed project is not anticipated to increase the use of surrounding recreational facilities. Furthermore, the proposed project does not involve the construction of new residential units and therefore would not generate new residents that could increase the demand for recreational facilities. Therefore, the proposed project would not result in the physical deterioration of recreational facilities, and there would be no impact.

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?

Less Than Significant Impact: The proposed project does not include recreational facilities or involve the construction of new residential units and therefore would not generate new residents that could increase the demand for and use of nearby parks or recreational facilities. However, Inspiration Trail connects to San Pablo Dam Road immediately adjacent to the north of the project site. Construction activities associated with the proposed project would potentially disturb access to the terminus of Inspiration Trail. Proposed project construction would be temporary and would not permanently block access to Inspiration Trail. Moreover, Inspiration Trail would still be accessible via the two connections at Inspiration Point and along Nimtz Way. Therefore, the proposed project is not anticipated to require construction or expansion of Inspiration Trail due to temporary access disturbance. Impacts would be less than significant.

Sources of Information

Contra Costa County. Title 9, Division 920 – Park Dedication. Website: https://library.municode.com/ca/contra_costa_county/codes/ordinance_code?nodeId=TIT9SU_DIV920PADE. Accessed August 14, 2025.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
17. *TRANSPORTATION–Would the project:*				
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	☐	☐	☒	☐
b) Conflict or be inconsistent with CEQA Guidelines Section 15064.3(b)?	☐	☐	☐	☒
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
d) Result in inadequate emergency access?	☐	☐	☒	☐

SUMMARY:

a) Would the project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?

Less Than Significant Impact: The proposed project is located along a portion of San Pablo Dam Road, a two-lane arterial roadway with two Class II bike lanes in each direction. The proposed project would involve the demolition, excavation, and rehabilitation of a segment of San Pablo Dam Road that is primarily used for vehicular and bicycle travel. The proposed project could temporarily obstruct portions of the public right-of-way through the repair of the underground existing culvert system and segment of the roadway that could conflict with a program, plan, ordinance or policy of the circulation system for roadway and bicycle facilities. However, temporary traffic controls would be implemented, and vehicles and bicycles would retain access at all times. In addition, the proposed project would not introduce any new structures or land uses to the project area that would result in a conflict with applicable policies of the circulation system of San Pablo Dam Road. Rather, the proposed project would rehabilitate the segment of San Pablo Dam Road through filling existing voids or dips from the damaged culvert system. Since the construction phase of the proposed project would not introduce any new land uses and would rehabilitate existing infrastructure on and along the roadway, the proposed project would not conflict with a program, plan, ordinance or policy addressing the circulation system. Therefore, the proposed project would have a less than significant impact related to circulation system policy conflicts.

b) Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3(b)?

No Impact: CEQA Guidelines Section 15064.3(b) requires projects to evaluate transportation impacts through analyzing per capita VMT, being the amount and distance of automobile travel attributable to different types of land use projects. Under CEQA Guidelines Section 15064.3(b), the Lead Agency has the authority to choose an appropriate methodology to evaluate a project's VMT. As such, the Contra Costa County Transportation Analysis Guidelines establishes a screening criterion to determine whether a proposed project would be required to prepare a detailed VMT analysis, and any project that meets the screening criteria is presumed to have a

less than significant impact on VMT. The VMT screening criteria includes public utility projects, which the proposed project is categorized under. Since the proposed project is within the VMT screening criteria, the proposed project would not result in any impact on VMT and no impact would occur.

c) Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Less Than Significant Impact: The project site is located along a portion of San Pablo Dam Road, a two-lane, approximately 50-foot-side arterial roadway that connects major highways such as SR-24 in Orinda, California to the south and I-80 in San Pablo, California to the northwest. As previously discussed, the proposed project would involve the repair of an existing culvert system and excavation of a segment of San Pablo Dam Road. As such, interference with the public right-of-way could temporarily introduce roadway hazards for vehicular traffic. The proposed project would install temporary measures to protect the traveling public such as warning signs and notices related to changes to direction, speed limit, lights, barriers, or patrols. In addition, the proposed project would rehabilitate the roadway through filling any voids or dips generated from the damaged culvert system. Since the proposed project would install temporary protective measures and would rehabilitate the segment of San Pablo Dam Road, the proposed project would not substantially increase roadway hazards. Therefore, the proposed project would have a less than significant impact on roadway hazards.

d) Would the project result in inadequate emergency access?

Less Than Significant Impact: The proposed project would implement construction activities along the public right-of-way. The proposed project would allow access to emergency vehicles at all times during construction. Since the proposed project would abide by the 2022 California Fire Code through providing fire department vehicle access routes during construction and would not introduce any permanent emergency access routes during operation, the proposed project would not result in inadequate emergency access. Therefore, the proposed project would have a less than significant impact on emergency access.

Sources of Information

California Governor's Office of Land Use and Climate Innovation (LCI) (formerly California Governor's Office of Planning and Research [OPR]). 2018. Technical Advisory on Evaluating Transportation Impacts in CEQA. December. Website: http://opr.ca.gov/docs/20190122-743_Technical_Advisory.pdf. Accessed August 13, 2025.

Contra Costa County Conservation and Development Department and Public Works Department. 2020. Transportation Analysis Guidelines. June. Website: https://www.contracosta.ca.gov/DocumentCenter/View/69374/FINAL-CCC-Transportation-Analysis-Guidelines-v2-12-15-20?bidId=. Accessed August 13, 2025

Contra Costa County. 2045 General Plan. Chapter 5: Transportation Element. Website: https://www.contracosta.ca.gov/DocumentCenter/View/84945/Chapter-5---Transportation-Element-PDF. Accessed August 13, 2025.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
18. ***TRIBAL CULTURAL RESOURCES–Would the project*** *cause a substantial adverse change in the significance of a Tribal Cultural Resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American Tribe, and that is:*				
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?	☐	☒	☐	☐
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1?	☐	☒	☐	☐

SUMMARY:

Would the project cause a substantial adverse change in the significance of a Tribal Cultural Resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American Tribe, and that is:

a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?

Less Than Significant with Mitigation Incorporated: A review of the CRHR, local registers of historic resources, a records search conducted at the NWIC, and a pedestrian survey failed to identify any listed TCRs that may be adversely affected by the proposed project. However, on July 15, 2025, the Native American Heritage Commission (NAHC) Sacred Lands File records search produced positive results for TCRs within the project boundaries. Letters requesting additional information regarding the proposed project were sent on August 11, 2025, to Tribal representatives from the list provided by the NAHC. On August 12, 2025, a reply from the Muwekma Ohlone Tribe of the San Francisco Bay Area was received, indicating that they were available to consult with the Lead Agency. A reply from the Amah Mutsun Tribal Ban was received, indicating that the proposed project is outside of their Tribal territory. On August 14, 2025, Indian Canyon Mutsun Band of Costanoan indicated that the Tribe is interested in consulting with Lead Agency and suggested monitoring during ground disturbance. Please note that this process is for information gathering purposes in order to support the conclusions made within the Cultural Resources and Tribal Cultural Resources sections and does not constitute an Assembly Bill (AB) 52 Lead Agency consultation process.

Nevertheless, no eligible or potentially eligible TCRs will adversely be affected by the proposed project. Should any undiscovered TCRs be encountered during project construction, implementation of MM CUL-1 and MM CUL-2, provided above, would reduce potential impacts to a less than significant level.

b) *A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1?*

Tribal cultural resources are: (1) sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American Tribe that are listed, or determined to be eligible for listing in the CRHR, or local register of historical resources, as defined in Public Resources Code Section 5020.1(k); or, (2) a resource determined by the lead CEQA agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in Public Resources Code Section 5024.1(c). For a cultural landscape to be considered a TCR, it must be geographically defined in terms of the size and scope of the landscape (PRC § 21074(b)). Also, a historical resource, as defined in Public Resources Code Section 21084.1, unique archaeological resource, as defined in Public Resources Code Section 21083.2(g), or non-unique archaeological resource, as defined in Public Resources Code Section 21083.2(h), may also be a TCR. AB 52 formally added the category of "Tribal Cultural Resources" to CEQA and extends the consultation and confidentiality requirements to all projects, rather than just projects subject to Senate Bill (SB) 18.

The CVLN and the Wilton Rancheria Tribe have submitted a general request letter to be notified of projects within Contra Costa County under AB 52. On June 5, 2025, an offer to consult was sent to the AB 52 contact designated in the general request letters. The record of correspondence (all via email) and meeting dates are described below. On June 9, 2025, CVLN requested records search results and cultural resources information. One consultation meeting occurred between the County and CVLN on August 20, 2025. At the meeting, the likelihood of buried resources and avoidance, mitigation, and monitoring measures were discussed. On August 20, 2025, the mitigation measures agreed upon are as written in Impact 5(b). Therefore, implementation of MM CUL-1 and MMCUL-2 would reduce impacts to less than significant.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
19. *UTILITIES AND SERVICE SYSTEMS–Would the project:*				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment, or stormwater drainage, electric power, natural gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☒	☐
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	☐	☐	☒	☐
c) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☒
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☒	☐
e) Comply with federal, State, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☒	☐

SUMMARY:

a) Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment, or stormwater drainage, electric power, natural gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental effects?

Less Than Significant Impact: The proposed project would include repair using two trenchless methods—pipe ramming and jack and bore—to replace the culvert system while maintaining existing hydrologic and hydraulic conditions. Additional work includes repairing the roadway, strengthening the compromised roadway embankment, and concrete work. The proposed use is consistent with the 2045 General Plan land use designation and zoning for the site. The General Plan EIR concluded that with the implementation of existing regulations and adopted 2045 General Plan policies and actions, any physical impacts resulting from construction of utilities and service systems to serve increased demands at buildout of the 2045 General Plan would be less than significant.

The proposed project would not require the construction of new or expanded water lines, the construction of new or expanded water supply facilities sewer lines, or wastewater treatment facilities. For these reasons, the proposed project would have a less than significant environmental effect on existing wastewater treatment facilities.

No other relocations or expansions to existing utilities are required to serve the proposed development. For all of the above reasons, the project impact would be less than significant.

b) Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?

Less Than Significant Impact: EBMUD supplies water service to the project site. During construction, water would be required primarily for dust suppression and would also be used for soil compaction. Construction water volumes would be minimal and would not require new or expanded water supplies or entitlements. Furthermore, the proposed project is not considered a "Water Demand Project" under CEQA Guidelines Section 15155 and does not require a project-level Water Supply Assessment.

The proposed project would not increase water demand relative to existing conditions and would remain consistent with what is anticipated in the 2045 General Plan. The jack and bore aspect of the project serves to help restore the hydraulic capacity. The existing entitlements for water supplies are sufficient to continue to meet the needs of the County during normal, dry, and multiple dry years. The proposed project would require nominal use of water resources for ongoing maintenance. Therefore, impacts due to insufficient water supplies or inadequate entitlements would be less than significant.

c) Would the project result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

No Impact: EBMUD is one of the service providers that maintains and operates a wastewater collection and treatment system within the County. The project site is located within EBMUD's service territory. Given that the proposed project is exclusive to infrastructure repair, the proposed project would not include the construction of wastewater facilities and would not generate a demand for wastewater treatment. Therefore, the project would not result in a determination of inadequate wastewater capacity. No impact would occur.

d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

Less Than Significant Impact: Construction of the proposed project would involve the generation of construction debris from demolition and the removal of the existing inlet and outlet headwalls. When acquiring building, utility, and site permits from the City, the proposed project would be required to comply with the County's Construction and Demolition Debris Recovery Program, which ensures that at least 65 percent of the construction debris must be recycled.

After construction, the proposed project would not produce any solid waste and therefore would not cause the County to exceed the capacity of existing landfills that the serve the County. Therefore, implementation of the proposed project would have a less than significant impact on the solid waste disposal capacity. In addition, the proposed project would not impede the ability of the County to meet waste diversion requirements or violate other applicable federal, State, and local statutes and regulations related to solid waste. Impacts would be less than significant.

e) Would the project comply with federal, State, and local management and reduction statutes and regulations related to solid waste?

Less Than Significant Impact: The proposed project would generate additional solid waste as compared to existing conditions only during construction. The proposed development would be required to comply with applicable federal, State, and local regulations related to solid waste such as SB 1383 and the Contra Costa Solid Waste Authority Ordinance (Ord. No. 09-08, § 3, 10-6-09). Therefore, a portion of solid waste would be diverted from landfill through recycling, composting, and other methods in compliance with federal, State, and local management and reduction statutes. Therefore, the proposed project would not violate applicable federal, State, and local statutes and regulations related to solid waste, and impacts would be less than significant.

Sources of Information

Contra Costa County. 2045 General Plan. Chapter 4: Land Use Element. Website: https://www.contracosta.ca.gov/DocumentCenter/View/84934/Chapter-4---Land-Use-Element-PDF. Accessed August 13, 2025.

Contra Costa County. 2045 General Plan. Chapter 7: Conservation, Open Space, and Working Lands Element. Website: https://www.contracosta.ca.gov/DocumentCenter/View/84948/Chapter-7--Conservation-Open-Space-and-Working-Lands-Element-PDF. Accessed August 13, 2025.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
20. *WILDFIRE–**If located in or near State Responsibility Areas or lands classified as Very High Fire Hazard Severity Zones,* ***would the project:***				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby, expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☒	☐	☐
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☒	☐
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☒	☐

SUMMARY*:*

If located in or near State Responsibility Areas or lands classified as Very High Fire Hazard Severity Zones, would the project:

a) Substantially impair an adopted emergency response plan or emergency evacuation plan?

Less Than Significant Impact: The General Plan Health and Safety Element designates San Pablo Dam Road as an evacuation route that is within a Very High FHSZ, as delineated by CAL FIRE. Although established evacuation routes would be chosen based on the location and extent of a wildfire, the proposed project would implement construction activities such as demolition and excavation to repair an existing culvert system and a segment of San Pablo Dam Road within the public right-of-way that could interfere with emergency response time and evacuation strategies.

The proposed project would comply with the 2022 California Fire Code which mandates fire access requirements during construction by maintaining a road width of over 20 feet without obstruction and would reconstruct the segment of San Pablo Dam Road to follow width, weight load, and grading fire apparatus access road requirements. Additionally, the proposed project would allow access to emergency vehicles at all times. Therefore, the proposed project would not impair or interfere with an emergency response or evacuation plan and would have a less than significant impact.

b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby, expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

Less Than Significant Impact With Mitigation Incorporated: The project site contains dense stands of oak woodland east of San Pablo Dam Road. Elevations range from approximately 390 feet to 345 feet AMSL across the project site. The project site is located in a Very High FHSZ which is established based on analyzing wildfire hazards such as climate, terrain, and natural vegetation that influence wildfire behavior. As such, the project site has geographical factors that could expose construction workers to direct and indirect wildfire hazards during construction. As noted in the threshold above, the proposed project would allow access to emergency vehicles at all times, including during the event of a wildfire.

Moreover, the use of heavy equipment during construction of the proposed project would have the potential to lead to sparks that could trigger wildland fires. Wildfire prevention MMHAZ-1 would be implemented to reduce the risk of wildland fires. As such, the proposed project would not exacerbate wildfire risk and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. In addition, California Code of Regulations Title 8, Section 5141.1 establishes procedures for monitoring particulate matter ($PM_{2.5}$) for construction sites during a wildfire. Lastly, the proposed project does not involve the construction of any structures intended for occupancy that could expose individuals to wildfire hazards. Therefore, the proposed project would have a less than significant impact with mitigation.

c) *Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?*

Less Than Significant Impact: As previously discussed, the project site is located in a Very High FHSZ delineated by CAL FIRE with wildfire hazards consisting of natural vegetation, steep topography, and periods of high wind speeds.

Compliance with the 2022 California Fire Code, including fire safety standards for construction projects, would ensure any temporary infrastructure such as power lines, emergency water sources, and other utilities are maintained and located in areas to prevent ignition or environmental impacts. The proposed project would not require the installation of any fuel breaks, and the completed project would be constructed with materials such as corrugated metal, concrete, grout material, and asphalt that are incapable of igniting or spreading a wildfire, along with replanting vegetation that would consist of native species and less fuel loads compared to existing conditions.

As such, the proposed project would not exacerbate wildfire risks through the installation or maintenance of infrastructure. Therefore, the proposed project would have a less than significant impact on exacerbated wildfire risk from infrastructure.

d) *Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?*

Less Than Significant Impact: The project site is located within a Very High FHSZ consisting of steep topography with elevations ranging from 390 feet to 345 feet AMSL and would involve the repair and replacement of an existing culvert system and the removal of approximately 27 trees. As such, the project site would temporarily alter the existing drainage system that could trigger landslides from post-fire slope instability. This increased risk would only occur temporarily during the construction phase. The proposed project would implement erosion control measures, replant trees, and restore previously existing hydrological conditions and would not construct any structures. Further, through implementation of a Water Pollution Control Plan which

would include BMPs such as perimeter sediment control, the proposed project would not substantially degrade surface, further reducing the risk of landslides. Thus, the proposed project would not expose people or structures to landslides or downslope flooding from post-fire slope instability once it is completed. Therefore, the proposed project would have a less than significant impact related to post-fire slope instability.

Sources of Information

California State Geoportal. California Fire Hazard Severity Zone Viewer. Website: https://gis.data.ca.gov/datasets/789d5286736248f69c4515c04f58f414. Accessed August 13, 2025.

Contra Costa County. 2045 General Plan. Chapter 9: Health and Safety Element. Website: https://www.contracosta.ca.gov/DocumentCenter/View/84950/Chapter-9---Health-and-Safety-Element-PDF. Accessed August 13, 2025.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
21. *MANDATORY FINDINGS OF SIGNIFICANCE*				
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	☐	☐	☐	☐
c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☐	☐

SUMMARY:

a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?

Less Than Significant Impact With Mitigation Incorporated. The proposed project has been evaluated for its potential to substantially degrade the quality of the environment, reduce the habitat of fish or wildlife species, threaten plant or animal communities, reduce the number or restrict the range of rare or endangered species, or eliminate important examples of California history or prehistory throughout this Initial Study/Mitigated Negative Declaration (IS/MND). Key findings are summarized herein.

The project site contains sensitive biological resources, including riparian woodland and intermittent drainages, and is within the range of several special-status plant and wildlife species. However, with implementation of the mitigation measures identified in Section 4 (Biological Resources), including protocol-level rare plant surveys (MM BIO-1a), worker environmental awareness training (MM BIO-1b), exclusion fencing (MM BIO-1c), species-specific avoidance and minimization measures for California red-legged frog, northwestern pond turtle, and Alameda

whipsnake (MM BIO-1d, MM BIO-1e, and MM BIO-1f), and migratory bird protection (MM BIO-1g), impacts to biological resources would be reduced to less than significant.

Impacts to sensitive natural communities and jurisdictional waters would be minimized through compliance with regulatory permits and implementation of MM BIO-2a (Streambed Alteration Agreement), MM BIO-2b (Section 401 Permit), and MM BIO-2c (Section 404 Permit), as well as post-construction revegetation.

Potential impacts to cultural and tribal cultural resources will be reduced to less than significant with implementation of MM CUL-1 (Unanticipated Discovery of Cultural Resources) and MM CUL-2 (Impact to Previously Undiscovered Human Remains), which require work stoppage, evaluation, and appropriate treatment in the event of a discovery, as well as consultation with the Confederated Villages of Lisjan Nation.

Paleontological resources are protected through MM GEO-2, which requires immediate work stoppage and evaluation by a qualified Paleontologist if unique paleontological materials are uncovered.

Based on the discussion provided above, compliance with required guidelines and statutes and implementation of the mitigation measures, the proposed project would not substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory. Therefore, impacts would be less than significant following compliance with applicable laws and regulations, and incorporation of MM BIO-1a through MM BIO-1g, MM BIO-2a through MM BIO-2c, MM CUL-1 and MM CUL-2, and MM GEO-2.

b) *Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)*

Less Than Significant With Mitigation Incorporated. The analysis in this IS/MND includes a review of the proposed project's potential impacts regarding air quality, biological resources, cultural resources, parks and recreation facilities, noise, and transportation, among other environmental issue areas. As presented throughout this IS/MND, the proposed project's cumulative impacts would either be less than significant with mitigation incorporated, less than significant, or there would be no impacts.

Construction-related impacts (e.g., air quality, noise, GHG emissions, traffic) are temporary and localized. With implementation of mitigation measures such as MM AQ-1 (Bay Area Air District Basic Construction BMPs for dust control), MM GEO-1 (Soil Condition Monitoring), and MM HAZ-1 (Wildfire Safety Procedures), these impacts would be less than significant.

At this time, the only known project in the vicinity that may overlap in schedule is another County storm damage repair project, the San Pablo Dam Road Storm Drain and Slide Repair project located approximately 3.5 miles northwest of this project site in unincorporated El Sobrante. However, the proposed project is currently anticipated to go into construction in 2026, while the San Pablo Dam Road Storm Drain and Slide Repair project is currently anticipated to go into

construction in 2027. Because of the distance from this project site, and the fact that through traffic would be maintained during construction for both projects, even if there is some overlap in project schedules, cumulative impacts to traffic would be less than significant.

As discussed throughout this IS/MND and above, the proposed project's cumulative impacts would be less than significant. No additional mitigation measures would be required to reduce cumulative impacts. Therefore, the proposed project would contribute to less than significant cumulative impacts.

c) *Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?*

Less Than Significant With Mitigation Incorporated. Based on the discussion provided in the Project Description and the analysis throughout this IS/MND, the proposed project would not cause substantial adverse effects on human beings, either directly or indirectly, because the proposed project's potential impacts would either be less than significant (without mitigation) or any significant impacts would be mitigated to a less than significant level. Therefore, for the reasons set forth in this IS/MND including, without limitation, the implementation of MM AQ-1, MM GEO-1 and MM GEO-2 and MM HAZ-1, the proposed project would not result in substantial adverse effects on human beings. Impacts would be less than significant with mitigation incorporated.

REFERENCES

In the process of preparing the Initial Study Checklist and conduction of the evaluation, the above cited references were consulted. Reference materials are available for review by contacting Shrav Sundaram, Contra Costa County Department of Public Works, by email at shravan.sundaram@pw.cccounty.us or by phone at (925) 812-7702.

MITIGATION MONITORING REPORTING PLAN

The following Mitigation Measures will be implemented according to Section 15097 of the CEQA guidelines. Contra Costa County Public Works Department (PWD) is responsible for ensuring these measures are implemented by PWD staff and by Contractors working on behalf of PWD.

Mitigation, Avoidance, and Minimization Measures

Impact	Mitigation Measure:	Implementation Timing	Implementation Entity	Verification Entity	Compliance Verification Date
3. AIR QUALITY					
AIR-1: Proposed project construction will generate fugitive dust.	**MITIGATION MEASURE AIR-1**: Implement Bay Area Air District Basic Construction Best Management Practices				
	1) All exposed surfaces (e.g., parking areas, staging areas, graded areas, and unpaved access roads) shall be watered two times per day. 2) All haul trucks transporting soil, sand, or other loose material off-site shall be covered. 3) All visible mud or dirt trackout onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited. 4) All vehicle speeds on unpaved roads shall be limited to 15 mph. 5) All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. 6) Idling times shall be minimized either by shutting equipment off when not in use. 7) Reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points. 8) All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a	During construction.	Construction Contractor.	Contra Costa County Public Works Department (PWD).	

MITIGATION MONITORING REPORTING PLAN

Impact	Mitigation Measure:	Implementation Timing	Implementation Entity	Verification Entity	Compliance Verification Date
	certified mechanic and determined to be running in proper condition prior to operation. 9) Post a publicly visible sign with the telephone number and contact information for the designated on-site construction manager available to receive and respond to dust complaints. This person shall report all complaints to Contra Costa County and take immediate corrective action as soon as practicable but not more than 48 hours after the complaint is received. The Bay Area Air District phone number shall also be visible to ensure compliance with applicable regulations.				
4. BIOLOGICAL RESOURCES					
BIO-1a: Proposed project construction may disturb special-status plant species.	**MITIGATION MEASURE BIO-1a:** Protocol-level Special-status Plant Survey				
	Implementation of the following measures would ensure avoidance of impacts on special-status plant species: A qualified Biologist shall conduct special-status plant survey(s) within the Biological Study Area (BSA) before the onset of work activities as determined by the California Department of Fish and Wildlife (CDFW) and East Bay Municipal Utility District (EBMUD). Surveys shall be conducted in a manner which maximizes the likelihood of locating special-status plants that may be on-site. Surveys shall be timed within the early, mid, and late season to capture the local blooming period of the target special-status plant species. If any special-status or EBMUD-monitored plant species are detected, construction activities shall not be allowed to commence until consultation with EBMUD and CDFW has occurred, as needed.	Prior to construction work activities within the early, mid, and late season of the local plant blooming period as determined by the Environmental Services Division-supplied Biologist.	PWD Environmental Services Division-supplied Biologist.	PWD Environmental Services Division.	
	MITIGATION MEASURE BIO-1b: Worker Environmental Awareness Program				

MITIGATION MONITORING REPORTING PLAN

Impact	Mitigation Measure:	Implementation Timing	Implementation Entity	Verification Entity	Compliance Verification Date
BIO-1b: Proposed project construction may impact special-status wildlife.	Before any activities begin on the project, a qualified Biologist shall provide a Worker Environmental Awareness Program (WEAP) for all construction personnel. At a minimum, the training shall include a description of the California red-legged frog (CRLF), northwestern pond turtle (NWPT), and Alameda whipsnake (AWS); their habitat; the regulatory protections afforded for these species; the general measures that are being implemented to conserve them as they relate to the proposed project; and the boundaries within which project activities may be accomplished.	Prior to any grading or construction work activities; and continuously thereafter as additional workers are mobilized or join the project.	PWD Environmental Services Division-supplied Biologist.	PWD Environmental Services Division.	
BIO-1c: Proposed project construction may impact special-status wildlife.	**MITIGATION MEASURE BIO-1c:** Exclusion Fencing or Temporary Silt Fencing				
	Prior to project work activities, wildlife exclusion fencing shall be installed around the perimeter of the development footprint in a manner that will prevent California red-legged frog (CRLF), northwestern pond turtle (NWPT), and Alameda whipsnake (AWS) from entering the project impact areas. A qualified Biologist shall be present during the installation of the wildlife exclusion fencing. The barrier fencing shall be removed within 72 hours of completion of work. The location and design of the fence shall be approved by a qualified Biologist, and the qualified Biologist shall also be present on-site to monitor installation until the exclusion fence is complete. At a minimum, the exclusion fencing shall be at least 3 feet high and the lower 6 inches of the fence shall be buried in the ground to prevent animals from crawling under. The remaining 2.5 feet shall be left above ground to serve as a barrier for animals moving on the ground surface. Fencing shall be installed and maintained in good condition during all construction activities and shall be inspected and maintained daily until the completion of project construction.	Prior to and during grading and construction work activities.	PWD Environmental Services Division-supplied Biologist.	PWD Environmental Services Division.	
	MITIGATION MEASURE BIO-1d: California Red-legged Frog Mitigation				

MITIGATION MONITORING REPORTING PLAN

Impact	Mitigation Measure:	Implementation Timing	Implementation Entity	Verification Entity	Compliance Verification Date
BIO-1d: Proposed project construction may impact the California Red-legged Frog.	Implementation of the following measures would ensure avoidance of impacts on California red-legged frog (CRLF): *Work Restriction:* To the greatest extent practicable, project activities shall be restricted to the period between April 15 and October 15, when CRLF are the least active. If project activities are proposed outside of the work restriction period, consultation with the California Department of Fish and Wildlife (CDFW)/United States Fish and Wildlife Service (USFWS) shall be required to ensure appropriate avoidance and/or minimization measures are incorporated. *Pre-Construction Survey:* A qualified Biologist shall survey the Biological Study Area (BSA) no more than 5 days before the onset of work activities and present survey results to the County, for submittal to CDFW. If any life stage of the CRLF is detected, construction activities shall not be allowed to commence until consultation with USFWS has occurred. *Revegetation:* Areas disturbed by the project shall be revegetated utilizing an assemblage of native upland vegetation suitable for the area. Invasive, exotic plants shall be controlled to the maximum extent practicable during construction. This measure shall be implemented in all areas disturbed by activities associated with the project unless CDFW and the project applicant determine that it is not feasible or practical.	Prior to and during grading and construction work activities.	Construction Contractor, PWD Environmental Services Division-supplied Biologist.	PWD Environmental Services Division.	
BIO-1e: Proposed project construction may impact the Northwestern Pond Turtle.	**MITIGATION MEASURE BIO-1e:** Northwestern Pond Turtle Mitigation				
	Implementation of the following measures would ensure avoidance of impacts on the northwester pond turtle (NWPT): *Pre-construction Survey*: A qualified Biologist shall survey the Biological Study Area (BSA) no more than 5 days before the onset of work activities and present survey results to the County, for	Prior to and during grading and construction activities.	Construction Contractor, PWD Construction Management firm, PWD Environmental	PWD Environmental Services Division.	

MITIGATION MONITORING REPORTING PLAN

Impact	Mitigation Measure:	Implementation Timing	Implementation Entity	Verification Entity	Compliance Verification Date
	submittal to the California Department of Fish and Wildlife (CDFW). If any life stage of the NWPT is detected, construction activities shall not be allowed to commence until consultation with the CDFW and the United States Fish and Wildlife Service (USFWS) has occurred. *Revegetation*: Areas scheduled for grading and/or vegetation shall be revegetated utilizing an assemblage of native upland vegetation suitable for the area. Invasive, exotic plants shall be controlled to the maximum extent practicable during construction. This measure shall be implemented in all areas disturbed by activities associated with the project unless the CDFW, the USFWS, and the project applicant determine that it is not feasible or practical.		Services Division-supplied Biologist.		
BIO-1f: Proposed project construction may impact the Alameda Whipsnake.	**MITIGATION MEASURE BIO-1f:** Alameda Whipsnake Mitigation				
	Implementation of the following measures would ensure avoidance of impacts on the Alameda whipsnake (AWS): *Work Restriction*: To the greatest extent practicable, project activities shall be restricted to the period between April 15 and October 15, when AWS is more active and capable of moving away from proposed construction activities. If project activities are proposed outside of the work restriction period, consultation with California Department of Fish and Wildlife (CDFW)/United States Fish and Wildlife Service (USFWS) shall be required to ensure appropriate avoidance and/or minimization measures are incorporated. *Pre-Construction Survey*: A qualified Biologist shall survey the project site within 24 hours prior to the initiation of construction-related activities for AWS and present survey results to the County, for submittal to the CDFW. If an individual is detected during the pre-construction survey, they shall be relocated to	Prior to and during grading and construction activities.	Construction Contractor, PWD Construction Management firm, PWD Environmental Services Division-supplied Biologist.	PWD Environmental Services Division.	

MITIGATION MONITORING REPORTING PLAN

Impact	Mitigation Measure:	Implementation Timing	Implementation Entity	Verification Entity	Compliance Verification Date
	suitable habitat outside the project's impact areas (with approval from the USFWS as appropriate). *Construction Monitoring*: A qualified Biologist(s) will be present during any construction activities that could, in the Biologist's opinion, potentially result in take of individual AWS. The Biologist(s) shall have the authority to stop any work that may result in take of this species. The on-site Biologist shall be the contact for any employee or Contractor who might inadvertently kill or injure an AWS or anyone who finds a dead, injured, or entrapped individual of any of these species. If an AWS is observed within the work area during project activities, all work that could result in the injury or death of the individual shall stop immediately and the qualified Biologist shall be immediately notified. The animal shall be allowed to leave the work area of its own volition. If it does not leave the area of its own volition, the CDFW shall be contacted to determine next steps. No individual of any of these species shall be handled without prior approval from the CDFW or USFWS. *Avoidance of Entrapment*: To prevent inadvertent entrapment of AWS during construction, all excavated, steep-walled holes or trenches more than 1 foot deep would be covered at the close of each working day with plywood or other suitable material, or provided with one or more escape ramps constructed of earth fill or wooden planks. Before such holes or trenches are filled, they must be thoroughly inspected for trapped animals. All pipes, culverts, or similar structures stored overnight shall be inspected before they are subsequently moved, capped, and/or buried. If at any time wildlife is discovered, the approved Biologist shall be contacted to determine the next steps.				
	MITIGATION MEASURE BIO-1g: Migratory Bird Mitigation				

MITIGATION MONITORING REPORTING PLAN

Impact	Mitigation Measure:	Implementation Timing	Implementation Entity	Verification Entity	Compliance Verification Date
BIO-1g: Proposed project construction may impact migratory birds.	Implementation of the following measures would ensure avoidance of impacts on migratory birds: *Avoidance of Nesting Season*: To the extent practicable, vegetation and/or tree removal shall be scheduled to avoid the avian nesting season. The nesting season typically runs from February 1 through August 31. *Pre-Construction Surveys for Active Nests*: If the proposed project requires vegetation and/or tree removal to be removed during the nesting season (February 1 to August 31), pre-construction nesting bird surveys shall be conducted no more than 7 days prior to the start of ground or vegetation disturbance (including tree removal) and survey results presented to the County, for submittal to the California Department of Fish and Wildlife (CDFW). *Buffer Zone for Active Nests*: If an active nest is located during preconstruction surveys, a qualified Biologist, in consultation with the CDFW, shall determine an appropriately sized avoidance buffer based on the species and anticipated disturbance level. The CDFW recommends a minimum no disturbance buffer of 250 feet around active nests of non-listed bird species and a 500-foot no-disturbance buffer around active nests of non-listed raptors.) A qualified Biologist shall delineate the avoidance buffer using Environmentally Sensitive Area fencing, pin flags, and/or yellow caution tape. In consultation with CDFW, the qualified Biologist shall monitor the active nest during the subject construction activities and modify the protection zone accordingly to prevent project-related nest disturbance. The buffer zone shall be maintained around the active nest site(s) until the qualified Biologist has determined that the nesting attempt is complete. No construction activities or construction foot traffic is allowed to occur within the avoidance buffer(s). In consultation with the	Prior to and during grading and construction activities.	Construction Contractor, PWD Construction Management firm, PWD Environmental Services Division-supplied Biologist.	PWD Environmental Services Division.	

MITIGATION MONITORING REPORTING PLAN

Impact	Mitigation Measure:	Implementation Timing	Implementation Entity	Verification Entity	Compliance Verification Date
	CDFW, the qualified Biologist shall monitor the active nest during the subject construction activities and modify the protection zone accordingly to prevent project-related nest disturbance, until the young have fledged, or nests fail due to other natural causes.				
BIO-2a: Proposed project construction will disturb riparian habitats.	**MITIGATION MEASURE BIO-2a:** Obtain Approval of and File Notification of Streambed Alteration Agreement Prior to Construction (After Agency Coordination)				
	The project applicant shall coordinate with California Department of Fish and Wildlife (CDFW) and obtain and file a notification of a Streambed Alteration Agreement, if and to the extent required by applicable laws and regulations, prior to conducting construction activities within any riparian corridor. If required, the applicant shall implement all mitigation measures imposed by the CDFW related to the subject Streambed Alteration Agreement, which may include but not be limited to the implementation of erosion and bank stabilization measures, riparian habitat enhancement, and/or restoration and revegetation of the stream corridor habitat as determined by the CDFW.	Prior to grading or construction permit approval.	PWD Environmental Services Division.	PWD Environmental Services Division.	
BIO-2b: Proposed project construction will disturb riparian habitats.	**MITIGATION MEASURE BIO-2b:** Obtain Approval of and File Notification of Section 401 Permit Prior to Construction (After Agency Coordination)				
	The project applicant shall coordinate with the Regional Water Quality Control Board (RWQCB) and obtain and file a notification of a Section 401 Permit, if and to the extent required by applicable laws and regulations, prior to conducting construction activities within any jurisdictional feature. If required, the applicant shall implement all mitigation measures imposed by the RWQCB related to the subject Section 401 Permit, which may include, but not be limited to, the implementation of erosion and bank stabilization measures, compensatory mitigation, stream corridor enhancement, and/or restoration and revegetation of the stream corridor habitat, as determined by the RWQCB.	Prior to grading or construction permit approval.	PWD Environmental Services Division.	PWD Environmental Services Division.	

MITIGATION MONITORING REPORTING PLAN

Impact	Mitigation Measure:	Implementation Timing	Implementation Entity	Verification Entity	Compliance Verification Date
BIO-2c: Proposed project construction will disturb riparian habitats.	**MITIGATION MEASURE BIO-2c:** Obtain Approval of and File Notification of Section 404 Permit Prior to Construction (After Agency Coordination)				
	The project applicant shall coordinate with the United States Army Corps of Engineers (USACE) and obtain and file a notification of a Section 404 Permit, if and to the extent required by applicable laws and regulations, prior to conducting construction activities within any jurisdictional feature. If required, the applicant shall implement all mitigation measures imposed by the USACE related to the subject Section 404 Permit, which may include, but not be limited to, the implementation of erosion and bank stabilization measures, compensatory mitigation (if deemed necessary during the USACE consultation process), stream corridor enhancement, and/or restoration and revegetation of the stream corridor habitat, as determined by the USACE.	Prior to grading or construction permit approval.	PWD Environmental Services Division.	PWD Environmental Services Division.	
BIO-2d: Proposed project construction will result in the removal of trees.	**MITIGATION MEASURE BIO-2d:** Compliance with Arborist Report Tree Preservation Measures				
	Trees proposed for preservation shall be protected in accordance with the Tree Preservation Measures outlined in the project-specific arborist report. The County, Contractor, and all site personnel must adhere to these Tree Preservation Measures throughout all phases of construction, including grading, trenching, and material storage. Preservation measures include, but are not limited to protective fencing, root zone safeguards, and other specified actions that shall be installed and/or maintained by qualified personnel to prevent construction-related damage to preserved trees on-site.	During all phases of construction.	Construction Contractor, PWD Construction Management firm, PWD Environmental Services Division.	PWD Environmental Services Division.	
5. CULTURAL RESOURCES					
	MITIGATION MEASURE CUL-1: Unanticipated Discovery of Cultural Resources				

MITIGATION MONITORING REPORTING PLAN

Impact	Mitigation Measure:	Implementation Timing	Implementation Entity	Verification Entity	Compliance Verification Date
CUL-1: Proposed project construction could impact unanticipated cultural resources during ground-disturbing activities.	• Contractor shall be notified of the possibility of encountering historic or archaeological materials during ground-disturbing activities. A standard inadvertent discovery clause will be included in every construction contract to inform Contractors of requirements during construction. • Prior to the initiation of construction activities, a qualified Archaeologist shall provide Worker Environmental Awareness Program (WEAP) training to construction personnel with an overview of applicable laws, project mitigation measures, and procedures to be followed with regard to historical, archaeological, and Tribal resources that may be encountered over the course of the project. • Procedures for discovery include: - If potential archaeological or Tribal cultural materials are encountered during construction, the Contractor shall cease all ground-disturbing activities within a 100-foot radius of the find. The Contractor shall immediately notify the District Resident Engineer or their designated representative to request a qualified Archaeologist and Confederated Villages of Lisjan Nation (CVLN) representative to assess the nature and significance of the find. The Archaeologist shall stake the area of discovery, placing stakes no more than 10 feet apart, forming a circle having a radius of no less than 100 feet from the point of discovery. - If the finding(s) is not determined to be potentially significant, work may resume. - If the finding(s) is determined to be potentially significant, the Archaeologist in consultation with the Tribal representative shall develop a mitigation plan,	Notification prior to construction permits. WEAP training prior to any grading or construction work activities; and continuously thereafter as additional workers are mobilized or join the project.	Construction Contractor, PWD Environmental Services Division supplied Archaeologist, PWD Construction Management firm.	PWD Environmental Services Division.	

MITIGATION MONITORING REPORTING PLAN

Impact	Mitigation Measure:	Implementation Timing	Implementation Entity	Verification Entity	Compliance Verification Date
	which shall be implemented by the entity in accordance with State guidelines and in consultation with the consulting Tribe. The mitigation plan shall include avoidance of the resource or, if avoidance of the resource is not feasible, the plan shall outline appropriate treatment of the resource in coordination with the consulting Tribe and, if applicable, a qualified archeologist. Examples of appropriate mitigation for the Tribal Cultural Resources (TCRs) include, but are not limited to, protecting the cultural character and integrity of the resources, protecting traditional use of the resources, protecting the confidentiality of the resources, or heritage recovery. Preservation in place (i.e., avoidance) is typically the preferred manner of treatment of Tribal resources and cultural items. No photography of resources is permitted. - Any previously undiscovered resources found during construction within the Project Site shall be recorded on appropriate California Department of Parks and Recreation (DPR) 523 forms and shall be submitted to Contra Costa County Department of Conservation and Development, the Northwest Information Center (NWIC), and the California Office of Historic Preservation (OHP), as required.				
CUL-2: Proposed project construction could impact undiscovered human remains.	**MITIGATION MEASURE CUL-2:** Impact to Previously Undiscovered Human Remains				
	• In the event of the accidental discovery or recognition of any human remains, there shall be no further excavation or disturbance within 100 feet of the remains until the Contra Costa County Coroner is contacted to determine whether the remains are Native American and if an	During construction.	Construction Contractor, PWD Environmental Services Division supplied Archaeologist,	PWD Environmental Services Division.	

MITIGATION MONITORING REPORTING PLAN

Impact	Mitigation Measure:	Implementation Timing	Implementation Entity	Verification Entity	Compliance Verification Date
	investigation of the cause of death is required. At the same time, an Archaeologist shall be contacted to assess the situation. • If the Coroner determines the remains to be Native American, the Coroner shall contact the Native American Heritage Commission (NAHC) within 24 hours of this identification. The NAHC shall identify a Most Likely Descendant (MLD) to inspect the site and provide recommendations for the proper treatment of the remains and associated funerary objects. • If the Confederated Villages of Lisjan Nation (CVLN) is designated as the MLD, the Tribe shall make every effort to recommend keeping ancestral remains and funerary objects in situ and protected. If removal of burials is necessary, Tribal representatives shall work with the qualified Archaeologist to ensure that excavation and documentation are treated carefully, ethically, and respectfully. No photography, testing, or scientific study, destructive or non-destructive, shall be conducted on ancestral human remains. All bone, if not identifiable as human or animal, shall be treated as human remains and the appropriate protocols followed. The Archaeologist shall prepare a report of all activities, including documenting methods and results as well as recommendations for the treatment of the human remains and any associated archaeological materials. The report shall be submitted to the District, the Northwest Information Center (NWIC), and the Tribe. • Tribal representatives shall rebury the Native American human remains and associated funerary objects with appropriate dignity either: (1) in accordance with the recommendations of the MLD if available; or (2) in the project vicinity at a location decided upon between the		PWD Construction Management firm.		

MITIGATION MONITORING REPORTING PLAN

Impact	Mitigation Measure:	Implementation Timing	Implementation Entity	Verification Entity	Compliance Verification Date
	CVLN representative and the County, where the reburial would be accessible to Tribal members in perpetuity and would not be subject to further disturbance. The discovery is to be documented on California Department of Parks and Recreation (DPR) 523 forms and otherwise kept confidential and secure to prevent any further disturbance.				
7. GEOLOGY AND SOILS					
GEO-1: Ground disturbance from the proposed project has the potential to contribute to seismic-related ground failure.	**MITIGATION MEASURE GEO-1:** Soil Condition Monitoring				
	A Geologist under the supervision of a Certified Engineering Geologist (CEG) working for the Geotechnical Engineer-of-Record, and approved by the Contra Costa County Department of Conservation and Development prior to issuance of any construction permit, shall be retained for construction of the proposed project. The CEG shall monitor for soil stability prior to and during all excavations and earthwork activities for construction of the proposed project. The CEG shall evaluate the applicability of the recommendations presented in the Geological & Geotechnical Investigation Report by BSK Associates to the subsurface conditions encountered. If required, the CEG shall recommend appropriate changes in design or construction procedures if conditions differ from those outlined in the report.	Prior to construction.	PWD approved Geotechnical Engineer-of-record.	PWD Construction Management Firm	
GEO-2: Ground disturbance from the proposed project has the potential to disturb previously unknown paleontological resources.	**MITIGATION MEASURE GEO-2:** Paleontological Resource Discovery				
	Should unique paleontological materials be uncovered during grading, trenching, or other on-site excavation(s), the County shall be immediately notified, and all earthwork within 100 feet of the materials shall be stopped immediately until a qualified Paleontologist is contacted and retained to evaluate the significance of the find. If the find is not significant, work may	During grading and construction.	Construction Contractor, PWD Construction Management firm, PWD Environmental	PWD Environmental Services Division.	

MITIGATION MONITORING REPORTING PLAN

Impact	Mitigation Measure:	Implementation Timing	Implementation Entity	Verification Entity	Compliance Verification Date
	resume. If the find is potentially significant, the Paleontologist, in coordination with the County, would implement appropriate sampling, salvaging, identification, and reporting procedures consistent with California Public Resources Code 30244.		Services Division –supplied Paleontologist		
9. HAZARDS AND HAZARDOUS MATERIALS					
HAZ-1: The project site is located within a Very High Fire Hazard Severity Zone and construction of the proposed project could expose construction workers to an area highly susceptible to wildland fires.	**MITIGATION MEASURE HAZ-1:** Wildfire Safety Procedures				
	During project construction, staging and equipment/vehicle parking areas shall be cleared of dead vegetation that could serve as fuel for combustion. The clearing shall include vegetation trimming within a few inches of the ground. No grading shall take place as part of the vegetation clearing. Additionally, fire extinguishers will be kept on-site. If work is to be performed during the dry season, workers shall be informed of wildland fire risk and measures to prevent it via brochures and worker awareness training.	During construction.	Construction Contractor, PWD Construction Management firm, PWD Environmental Services Division.	PWD Environmental Services Division.	

CALIFORNIA ENVIRONMENTAL QUALITY ACT

Notice of Determination

To:

☒ Office of Land Use and Climate Innovation
State Clearinghouse
1400 Tenth Street, Room 113
Sacramento, CA 95814

☒ County Clerk
County of Contra Costa
555 Escobar Street
Martinez, CA 94553

From:

Project Lead Agency:
Contra Costa County
Department of Conservation and Development
30 Muir Road
Martinez, CA 94553
Lead Agency Contact:
Syd Sotoodeh, (925) 655-2877, syd.sotoodeh@dcd.cccounty.us

Lead Agency *(if different from above)*:

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number (if submitted to State Clearinghouse): 2025120302

Project Title: San Pablo Dam Road Storm Drain and Pavement Repair Project, Project No. 0672-6265, CP#23-19

Project Applicant: Contra Costa County Public Works Department, 255 Glacier Drive, Martinez, CA 94553, Contact: Shravan Sundaram, (925) 313-2366

Project Location: On San Pablo Dam Road approximately 1.2 miles east of Wildcat Canyon Road and approximately one mile northwest of Orinda in unincorporated Contra Costa County. Assessor's Parcel Number: 267-040-002

Project Description:

Construction Overview

Construction of the proposed project is expected to begin in 2026 and last approximately 115 working days and take one construction season between May 2026- December 2026. Standard construction equipment would be used, including but not limited to: excavators, graders, scrapers, loaders, etc. Portable construction trailers would be placed on-site. Dewatering equipment would be used. Construction activities would be generally limited to the hours between 7:00 a.m. and 6:00 p.m. Night work would be allowed to ensure projects can be constructed prior to the rainy season.

Staging and Access

Staging areas have been proposed and evaluated for environmental resources. Staging would take place at the culvert's inlet and outlet. Access to the inlet is available through the fire access route and access to the outlet is available through Old San Pablo Dam Road. Additional staging area is available along Old San Pablo Dam Road, and the boat ramp located 0.3 miles north of the outlet. San Pablo Dam Road will remain open for traffic throughout the project. Standard traffic control measures would be employed during construction activities, and emergency vehicles will have access at all times. Temporary construction easements from East Bay Municipal Utility District (EBMUD) would be required for access to the storm drain system, proposed staging areas, and other construction access.

Site Preparation

Tree removal will be limited to what is necessary to construct the proposed project. Approximately 27 trees, including California bay, Arroyo willow, Coast live oak, and Blue elderberry will be removed around the inlet to create space necessary for pipe ramming, and at the outlet where the concrete flume will be reconstructed. Vegetation within the work area will be cleared and grubbed as needed. In addition, a cattle fence will be installed along the fire trail to allow grazing to continue while keeping cattle away from the project site.

Demolition

Construction would first require demolition of the existing inlet and outlet headwalls. The existing inlet headwall size is approximately 40' x 10' and the existing outlet is approximately 30' x 10'. Demolition of the existing roadway will occur to depth needed for stabilization of the roadway prior to restoration of the roadway.

Installation and Repair of Culvert System

The two existing 72-inch corrugated metal pipes would be replaced through pipe ramming with 66-inch steel casing pipes through the existing alignment. A pneumatic hammer delivers percussive blows to the rear of the steel pipe, driving it forward. The steel pipe is equipped with a cone-shaped head to help navigate angular deflections, reduce friction, and expand the deformed CMP into a more circular cross-section through outward

diametral pressure. To maintain consistent alignment, the cone-shaped head will also be pulled with a pulley system from the downstream end. This project involves ramming approximately 410 linear feet in total (205 feet in each direction). The steel casings, fabricated in 20-foot sections, are expected to be installed at a rate of one section per day. After each section is driven, another is positioned, welded to the preceding casing, and the process continues until the full length is completed. Since the existing dual 72-inch system will be reduced to a dual 66-inch system, an additional 48-inch culvert will be installed by jack and bore on the south side to compensate for the reduced hydraulic capacity.

The third culvert would be constructed using the jack and bore method where a boring machine would jack (push) a 48-inch casing pipe into the ground in segments while simultaneously removing soil using a rotating auger within the casing.

Grouting

The County performed geotechnical borings around the existing culverts, which revealed severally compromised soils surrounding the system. To ensure that the newly installed pipes are properly supported and embedded in competent material, contact grouting is required around the exterior of the pipes. This grouting will be performed from within the installed pipes, using port holes specifically manufactured for this project, through which the contractor will pump the grout material. Additional vertical compact injection grouting from the roadway will be required to stabilize compromised soils between the culvert and roadway surface.

Concrete Work (Headwall, Flume, Abandonment of 36" Overflow CMP)

The existing inlet and outlet headwalls will be removed to install the three culverts. Once the three pipes are placed, the proposed headwalls will be constructed around them. Additionally, the existing concrete flume will be reconstructed due to structural damage caused by tree root intrusion. The proposed flume will be designed to direct the flow of the three culverts into the existing inlet, which conveys the flow through Old San Pablo Dam Road. Lastly, the existing 36" CMP overflow pipe will be abandoned and capped in place with concrete slurry to prevent future use or void formation.

Roadway Rehabilitation

The roadway will be excavated and replaced with a new aggregate base (AB) and hot mix asphalt (HMA). The reconstruction effort will rehabilitate the roadway section and fill any underlying voids contributing to the settlement.

Site Clean-up and Restoration

All disturbed areas will be stabilized with best management practices following construction and restored to pre-project conditions through hydroseeding with a native seed mix and replanting approximately 50 trees.

This is to advise that the Contra Costa County Board of Supervisors (☒ Lead Agency or ☐ Responsible Agency) has approved the above-described project on February 10, 2026 and has made the following determinations:

1. The project [☐ will ☒ will not] have a significant effect on the environment.
2. ☐ An Environmental Impact Report (EIR) was prepared for this project pursuant to the provisions of CEQA.
   ☒ A Mitigated Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [☒ were ☐ were not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [☒ was ☐ was not] adopted for this project.
5. A statement of Overriding Considerations [☐ was ☒ was not] adopted for this project.
6. Findings [☒ were ☐ were not] made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the Negative Declaration, is available to the General Public at:

Contra Costa County Department of Conservation & Development, 30 Muir Road, Martinez, CA 94553

Signature (Lead Agency): _____ Title: _____

Print Name: _____ Date: _____

Date received for filing at LCI: _____

Applicant

Shravan Sundaram
Contra Costa County Public Works Department
255 Glacier Drive
Martinez, CA 94553
(925) 313-2366

Department of Fish and Wildlife Fees Due

☐ Neg. Dec. - $3,043.75
☒ Mitigated Neg. Dec. - $3,043.75
☐ EIR - $4,227.50
☒ County Clerk - $50.00
☐ DCD - $25.00

Total Due: $_____
Total Paid: $_____
Receipt # _____

Authority cited: Sections 21083, Public Resources Code.
Reference Section 21000-21174, Public Resources Code.

Form Revised 2025

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 26-571 **Agenda Date:** 2/10/2026 **Agenda #:** C.65.

To: Board of Supervisors

From: Warren Lai, Public Works Director/Chief Engineer

Report Title: APPROVE and AUTHORIZE the Public Works Director, or Designee, to Execute a Contract with Rubicon Programs Inc., to Provide Landscape Maintenance Services for County Services Area M-17 (CSA M-17)

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a contract with Rubicon Programs Inc., in an amount not to exceed $262,470, to provide Landscape Maintenance Services, for the period March 2, 2026, through March 1, 2029. (District I) (CSA M-17)

FISCAL IMPACT:
No impact on the General Fund. Costs associated with services will be funded with County Service Area M-17 (CSA M-17) revenues.

BACKGROUND:
Contra Costa County Public Works, Special Districts manages County Service Area M-17 ("CSA M-17") in unincorporated San Pablo. CSA M-17 includes Montalvin Park and Montarabay Community Center and Ballfield Complex, both of which require landscape maintenance. The current contract for landscape maintenance will expire in March 2026.

California Welfare and Institute Code Section 19404 ("Section 19404") gives the County the authority to purchase services from private or non-profit organizations who operate community rehabilitation programs and meet the criteria of Section 19404 without advertising or calling for bids, provided the services meet the specification and needs of the County.

Rubicon Programs Inc has been selected to begin providing landscape maintenance services, pending Board of Supervisors approval. Rubicon Programs Inc is a nonprofit corporation within the East Bay Area dedicated to delivering high-quality maintenance services while also supporting job training, workforce reentry, financial education, and behavioral health support within the communities served.

CONSEQUENCE OF NEGATIVE ACTION:
Without approval, a contract for landscape maintenance services will not be executed and services will be delayed.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 26-572 **Agenda Date:** 2/10/2026 **Agenda #:** C.66.

To: Board of Supervisors

From: Warren Lai, Public Works Director/Chief Engineer

Report Title: AWARD and AUTHORIZE the Public Works Director, or designee, to execute a construction contract for the Brookside Mental Health Rehabilitation Center Construction Project, 847 Brookside Drive, Richmond. (70% State Grant Funds, 30% Mental Health Realignment Funds).

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

(1) APPROVE the design, plans and specifications for the Project.

(2) DETERMINE that the bid submitted by Buhler Commercial ("Buhler") complies with all requirements of the Project specifications, including the requirements of the County's Outreach Program.

(3) WAIVE any minor irregularities in Buhler's bid.

(4) FURTHER DETERMINE that Buhler submitted the lowest responsive and responsible bid for the Project.

(5) DETERMINE that the bid protest submitted by W.E. Lyons Construction ("Lyons") did not comply with the Project specifications and is without merit and CONFIRM the rejection and denial of Lyons's bid protest, which protest has been rejected and denied by the County Administrator's Office.

(6) DETERMINE that the bid protests submitted by D.L. Falk ("Falk") did not comply with the Project specifications and are without merit (as to Buhler) and moot (as to Lyons); and CONFIRM the rejection and denial of Falk's bid protests, which protests have been rejected and denied by the County Administrator's Office.

(7) DIRECT that, as a condition of contract award, Buhler and its subcontractors shall execute a Project

Labor Agreement for this Project, as required by the Project specifications.

(8) AWARD the construction contract for the above project to Buhler in the listed amount submitted in Buhler's bid ($17,516,301 for Base Bid, Alternate No. 1, Alternate No. 2, and Unit Prices), and DIRECT the Public Works Director, or designee, to prepare the contract.

(9) DIRECT that Buhler shall submit two good and sufficient surety bonds (performance and payment bonds) in the amount of $17,516,301 each.

(10) ORDER that, after Buhler has signed the contract and returned it, together with the bonds, evidence of insurance, and other required documents, and the Public Works Director has reviewed and found them to be sufficient, the Public Works Director, or designee, is authorized to sign the contract for this Board.

(11) ORDER that, in accordance with the Project specifications and upon signature of the construction contract by the Public Works Director, or designee, any bid bonds posted by the bidders are to be exonerated and any checks or cash submitted for bid security shall be returned.

(12) ORDER that the Public Works Director, or designee, is authorized to sign any escrow agreements prepared for this Project to permit the direct payment of retention into escrow for the substitution of securities for monies withheld by the County to ensure performance under the contract, pursuant to Public Contract Code Section 22300.

(13) AUTHORIZE the Public Works Director, or designee, to approve and order changes or additions to the work, pursuant to Public Contract Code Section 20142, with the extra cost for any change or addition not to exceed $25,000 plus 5 percent of the contract award amount in excess of $250,000, and with no change or alteration to exceed $210,000.

(14) DELEGATE, pursuant to Public Contract Code Section 4114, to the Public Works Director, or designee, the Board's functions under Public Code Section 4107 and 4110.

(15) DECLARE that, should the award of the contract to Buhler be invalidated for any reason, the Board would not in any event have awarded the contract to any other bidder, but instead would have

exercised its discretion to reject all bids. Nothing in this Board Order shall prevent the Board from re-awarding the contract to another bidder in cases where the successful bidder establishes a mistake, refuses to sign the contract, or fails to furnish required bonds or insurance (see Public Contract Code Sections 5100-5107).

FISCAL IMPACT:
Estimated construction cost $17,516,301. $12,030,815 (68.6%) will be funded through the State grant and the remaining $5,485,486 (31.4%) will be funded through the Mental Health Realignment Fund.

BACKGROUND:
On July 12, 2022, the Board of Supervisors authorized Contra Costa Health - Behavioral Health (CCH-BH) to apply for grant funding through the Behavioral Health Infrastructure Program (BHCIP) to expand community-based treatment facilities.

On November 12, 2023, CCH-BH received a Conditional Notice of Award (NoA) of grant funds to renovate and convert a County-owned facility located at 847B Brookside Drive in Richmond into Contra Costa County's first in-County Mental Health Rehabilitation Center (MHRC). The facility will serve up to 45 clients in need of treatment in a secured setting as they recover from acute psychiatric episodes.

On June 25, 2024, the Board of Supervisors authorized the Health Services Director, or designee, to execute a project funding agreement with Advocates for Human Potential, in an amount not to exceed $18,602,365 through June 30, 2027, for the renovation of County-owned property located at 847B Brookside in Richmond and authorized the Public Works Director, or designee, to execute all property related transactions as required by the grant including, but not limited to filing a Declaration of Restrictions for the portion of the County property to be improved by the granted funds.

CCH-BH proposed the retrofit and adaptive reuse of an existing one-story, wood frame institutional building at the location identified above into a 45 bed MHRC. The project consists of a full interior remodel and seismic upgrade of the approximately 20,000 square foot facility, which will provide 24/7 care and rehabilitation services for adult Medi-Cal beneficiaries with serious mental health illnesses. The remodeled building will include care suites, sleeping rooms, restrooms, medical and wellness spaces, administrative offices, and recreational, dining, and amenity areas. The facility will meet applicable building and energy codes as well as anti-ligature requirements.

The scope includes new mechanical, electrical, and plumbing systems; installation of fire sprinkler and alarm systems, access control and security systems; and replacement of all doors, windows, roofing and exterior and interior finishes. Site work will include grading, utility trenching, and construction of bioretention planters. Additional improvements include a new emergency generator, accessible sidewalks, resurfaced and restriped parking areas, installation of electric vehicle charging stations, new irrigation and lighting systems, and low-maintenance landscaping. A secure perimeter fence and outdoor recreation areas will also be provided.

On September 9, 2025, this Board approved the design and bid documents for the construction of the Project and authorized the solicitation of bids in accordance with Public Contract Code Section 22037.

On December 17, 2025, bids were received and opened by the Public Works Department, and the bid results were as follows:

BIDDER	BID AMOUNT
Buhler Commercial	$17,516,301
W.E. Lyons Construction	$17,705,142
D.L. Falk	$17,998,000
Giant Construction, Inc.	$19,137,920
Singular Builders	$20,124,967
Guzman Construction	$22,295,724

Public Works Department staff, with assistance from Construction Manager Vanir, Inc., has thoroughly reviewed the bids and determined that Buhler's bid is responsive, that Buhler is a responsible bidder, and that Buhler has fully complied with the requirements of the County's Outreach Program, as provided in the Project specifications. Staff recommends that the construction contract for this Project be awarded to Buhler, the lowest, responsible bidder, in the amount of $17,516,301 (Base Bid, Alternate No. 1, Alternate No. 2, and Unit Prices), as listed in Buhler's bid. Staff also recommends that the Board waive any minor irregularities in Buhler's bid and Outreach Program compliance and documentation.

On December 19, 2025, Lyons, which submitted the second lowest bid at a price $188,841 higher than Buhler's, submitted a written bid protest to the County challenging, Buhler's low bid (see Attachment A). Lyons's bid protest challenged Buhler's failure to list subcontractors for various work items and challenged Buhler's ability to self-perform those work items under Buhler's Class B General Building Contractor's license, the license required by the Project specifications.

On January 23, 2026, after thoroughly reviewing and investigating Lyons's bid protest with assistance from the Public Works Department and Vanir, Inc., the County Administrator's Office determined that the bid protest did not comply with the Project specifications and was invalid and without merit. The response letter (final determination) sent by the County Administrator's Office rejected and denied Lyons's bid protest (see Attachment B).

On December 23, 2025, Falk, which submitted the third lowest bid at a price $481,699 higher than Buhler's, submitted a written bid protest to the County challenging, respectively, the bids of Buhler and Lyons (see Attachment C). Falk's bid protests challenged the completeness of the list of subcontractors submitted by Buhler and Lyons and challenged their failure to list a subcontractor for Poured-in-Place Walking Track and Buhler's failure to list a subcontractor for Landscaping.

On January 23, 2026, after thoroughly reviewing and investigating Falk's bid protests with assistance from the Public Works Department and Vanir, Inc., the County Administrator's Office determined that the bid protests did not comply with the Project specifications, were invalid and without merit (as to Buhler), and were moot (as to Lyons). The response letter (final determination) sent by the County Administrator's Office rejected and denied Falk's bid protests (see Attachment D).

Staff recommends that the Board confirm the rejection and denial of the bid protests submitted by Lyons and Falk for all of the reasons stated in the response letters.

As a condition of contract award, Buhler and its subcontractors will be required to sign the County's standard Project Labor Agreement.

Buhler and its subcontractors will pay prevailing wages for Project work, as required by the Project specifications and state law.

CONSEQUENCE OF NEGATIVE ACTION:
Without the Board of Supervisors approval, the project will not be constructed, the County will not be able to provide planned expanded services to approximately 95 residents a year struggling with severe mental health issues and will lose the BHCIP grant funding.

W.E. LYONS
CONSTRUCTION CO.
Since 1926

VIA HAND DELIVERED AND EMAIL

December 19, 2025

Diane Strassmaier, Contra Costa County Capital Projects Management Division
Public Works Department
40 Muir Road, 2nd Floor
Martinez, CA 94553
Email: diane.strassmaier@pw.cccounty.us
Phone: (925) 957-2480

RE: Formal Bid Protest – Buhler Construction Company, Inc.
Brookside Mental Health Rehabilitation Center
Project No. 135-2401

Dear Ms. Strassmaier:

W.E. Lyons Construction Co. ("Lyons") hereby submits this **formal bid protest** regarding the bid submitted by **Buhler Construction Company, Inc. ("Buhler")** for the **Brookside Mental Health Rehabilitation Center, Project No. 135-2401**, which was bid on **December 17, 2025, at 2:00 PM**.

Based on our review of Buhler's sub listings (see attached) as provided by the County and applicable California law, Buhler's bid is **non-responsive as a matter of law** and must be rejected.

Failure to List Mandatory Subcontractors – PCC §4104

California Public Contract Code §4104 requires that all bidders list, at the time of bid, each subcontractor who will perform work **in excess of one-half of one percent (0.5%)** of the total bid, including the subcontractor's name, location, license number, DIR registration number, and portion of work.

Buhler Construction **failed to list subcontractors** for the following trades, each of which clearly exceeds the 0.5% statutory threshold on a project of this size and scope:

- Structural Steel – **C-51**
- Sheet Metal Flashings – **C-43**
- Plaster – **C-35**
- Gypsum Board Assemblies – **C-9**
- Tile – **C-54**
- Landscaping – **C-27**
- Site Utilities – **C-34 & C-12**

Buhler holds **only a Class B General Building Contractor license** and does not possess the specialty license classifications required to lawfully self-perform the above trades. Nor were subcontractors listed for these scopes of work at the time of bid.

Violation of Business & Professions Code §7057

California Business & Professions Code §7057(b) strictly limits the scope of work that may be self-performed by a Class B contractor. A general building contractor (Class B) may not self-perform specialty trades unless the work is **incidental** and supplemental to the prime contract and does not involve multiple unrelated trades requiring specialty licenses. "Incidental" has been clearly defined by the courts as having to be less than 0.5%.

Here, the omitted scopes—structural steel, utilities, plaster, drywall, tile, sheet metal, and landscaping—are **not incidental**, are **specialized trades**, and collectively represent substantial portions of the project. Buhler is therefore **not licensed to self-perform this unlisted trade work**, and its failure to list properly licensed subcontractors renders its bid non-responsive.

Prohibited Post-Bid Conduct and Competitive Harm

By failing to list required subcontractors at the time of bid, Buhler has obtained an **unlawful competitive advantage**, including the ability to:

- Engage in **post-bid bid shopping**
- Substitute subcontractors after bid opening
- Engage in **license laundering**
- Avoid statutory subcontractor listing requirements designed to protect fair competition

The California Subletting and Subcontracting Fair Practices Act (PCC §§4100–4114) was enacted specifically to prevent these abuses.

Controlling California Case Law

California courts have consistently held that failure to comply with subcontractor listing laws is a **material defect** that cannot be waived:

- **R.M. Sherman Co. v. City of Los Angeles** (1984) 162 Cal.App.3d 520 – Failure to properly list subcontractors is a material deviation requiring rejection of the bid.
- **Valley Crest Landscape, Inc. v. City Council** (1996) 41 Cal.App.4th 1432 – A bid is responsive only if it promises to do what the bidding instructions require at the time of bid.
- **Great West Contractors, Inc. v. Irvine Unified School District** (2010) 187 Cal.App.4th 1425 – Public agencies may not waive material deviations that undermine competitive bidding.
- **MCM Construction, Inc. v. City and County of San Francisco** (1998) 66 Cal.App.4th 359 – Strict compliance with bidding statutes is mandatory to preserve integrity of the process.

Allowing Buhler's bid to stand would violate these well-established principles and expose the County to legal challenge.

Conclusion and Request for Relief

For the reasons stated above:

1. Buhler Construction Company, Inc.'s bid **fails to comply with PCC §4104**.
2. Buhler lacks the required specialty licenses and **cannot lawfully execute the unlisted work**.
3. The omissions constitute **material, non-waivable defects**.
4. Buhler's bid is **non-responsive as a matter of law** and must be rejected.

W.E. Lyons respectfully requests that Contra Costa County **reject Buhler Construction Company, Inc.'s bid** and award the project to the next lowest **responsive and responsible bidder**, W.E. Lyons Construction.

W.E. Lyons **reserves all rights, remedies, and causes of action available under law to submit additional bid protests** upon review of the complete true and correct bid documents submitted by all bidders, and further reserves the right to **correct any clerical or listing errors on our own bid form** that may have been denied to us due to the County's failure to release the competing bid information **within the legal 24-hour correction period** as provided under **California Public Contract Code §4104(a)(2)**.

Sincerely,

Bryan Dissman
Senior Estimator
Email: bdissman@welyons.com

Attachment: Buhler Commercial Subcontractor List

cc: Tierra Andrews, Vanir Construction Management, tierra.andrews@vanir.com
Steve Buhler, Buhler Construction Company, Inc, info@buhlercommercial.com
Thomas L. Geiger, thomas.geiger@cc.cccounty.us

Contra Costa County
Public Works
Department

Warren Lai, Director
Deputy Directors
Stephen Kowalewski, Chief
Allison Knapp
Sarah Price
Carrie Ricci
Joe Yee

Contra Costa County Public Works Department - Capital Projects Management Division

PROJECT TITLE: **BROOKSIDE MENTAL HEALTH REHABILITATION CENTER**

BID OPENING DATE: December 17, 2025 TIME: 2:00 P.M.

ARCHITECT'S BASE BID ESTIMATE: $19,000,000 PROJECT: **1352401/WH188A**

	NAME OF BIDDER	BASE BID
1.	Buhler Commercial	$17,516,301
2.	W.E. Lyons Construction	$17,705,142
3.	D. L. Falk	$17,998,000
4.	Giant Construction, Inc.	$19,137,920
5.	Singular Builders	$20,124,967
6.	Guzman Construction	$22,295,724

SUBCONTRACTOR LIST FOR **BUHLER COMMERCIAL**

Business Name	**Address**	**Items/Portions of Work**
DHW	Richmond	Demolition
RMC	San Francisco	Concrete
Rick Slater	San Jose	Rough Carpentry
Shasta Wood Products	Cottonwood	Millwork
Diablo Roofing	Hayward	Roofing
ACC Glass	Hayward	Glazing
Ceiling Experts	Roseville	Ceilings
Bakers Flooring	San Mateo	Flooring
Madden & Nelson	S. San Francisco	Paint
East Bay Restaurant Supply	Oakland	Food Service Equipment
Sequoia Fire Protection	Oakland	Fire Sprinkler
Bay City	Richmond	Plumbing
Flanders	Pleasanton	HVAC
Mike Brown	Cotati	Electrical & Fire Alarm
Platinum	Waterford	Site Work
Ransome	San Leandro	Paving
Ahlborn	Santa Rosa	Fencing

SUBCONTRACTOR LIST FOR **W.E. LYONS CONSTRUCTION CO.**

Business Name	**Address**	**Items/Portions of Work**
Ferma Corp	Newark	Selective Demolition & Abatement
REI Build Up	Oakland	Structural Steel
Rick Slater	San Jose	Rough Carpentry
Milltek	Hayward	Casework
Waterproofing Associates	Santa Clara	Roofing
Amex	Hayward	Sheet Metal Flashing & Trim
Mars	San Francisco	Aluminum Framed Entrances
Henley CO	W. Sacramento	Plastering
Custom Drywall	Milpitas	Gypsum Board
De Anza Tile	Fremont	Tile
Highpoint	Rohnert Park	Acoustical Ceiling Systems
Bakers	San Mateo	Flooring
Top Tier	San Francisco	Wood wall coverings
East Bay Food Service	Oakland	Food Service
Everon	Fremont	Fire Sprinklers
K.S. Kruse Plumbing	Pittsburg	Plumbing
Bay Cities	Concord	Paving, Grading Site Utilities
Ricardo Marrun	San Francisco	Concrete Pavement/Site Structural
Ahlborn	Santa Rosa	Chain Link Fence

Marina	Lathrop	Planting Irrigation
Bel Air Mechanical	Martinez	HVAC
Mel Electric	Napa	Electrical
Applied Finishes	Chico	Painting

SUBCONTRACTOR LIST FOR **D.L. FALK CONSTRUCTION, INC.**

Business Name	**Address**	**Items/Portions of Work**
AMG	Oakland	Demolition & Abatement
West Valley Concrete	Modesto	Concrete & Rebar
UMO Steel	Union City	Structural Steel & Metal Fab
Andy's Roofing	San Leandro	Roofings
AAC Glass	Hayward	Aluminum Entrances & Storefront
Henley CO	W. Sacramento	Portland Cement, Plastering
Reliable Construction	Santa Rosa	Gypsum Board
Highpoint Acoustic	Rohnert Park	Acoustical Ceiling & Baffles
Satellite Painting	San Jose	Painting & Coatings
Everon	Fremont	Fire Sprinklers Systems
Kruse Plumbing	Pittsburg	Plumbing
Top Notch Mechanical	Sacramento	HVAC
Mike Brown	Cotati	Electrical & Low Voltages
Bay Cities	Concord	Grading, Paving & Site Utilities
Ahlborn Fence	Santa Rosa	Metal Fencing & Gates
RMT Landscape	Oakland	Landscaping
Rodriguez Sheet Metail	San Jose	Arch Sheet Metal Flashing & Trim
California Tile	San Jose	Tiling
Kim's Flooring	San Francisco	Finished flooring
East Bay Restaurant & Supply	Oakland	Food Service Equipment
Shasta Wood Products	Cottonwood	Wood Veneer Cabinets
Universal Plastic	Roseville	Plastic FRP Paneling
Alumawall	San Jose	Formed Metal Panel & Screen
No Fault	San Bernardino	Poured-in-Place Walking Track

SUBCONTRACTOR LIST FOR **GIANT CONSTRUCTION, INCORPORATED**

Business Name	**Address**	**Items/Portions of Work**
DWH	Richmond	Selective Demo
Ricardo Marrun	San Francisco	CIP Concrete
UMO	Union City	Structural Steel Framing
Shasta Wood Products	Cottonwood	Architectural Wood Casework

AMEX	Hayward	Sheet Metal Flashing & Trim
R. Titus	Morgan Hill	Joint Sealants
Ironwood	Concord	Cement Plastering
Custom Drywall	Milpitas	Gypsum Board
High Point	Santa Rosa	Acoustical Panel Ceilings
Bakers Floor & Surface	San Mateo	Resilient Flooring
Boelter	Sacramento	Food Services Equipment
Everon	Fremont	Fire Suppression Equipment
K.S. Kruse	Pittsburg	Plumbing
Turnkey	Hayward	HVAC
M.B. Electric	Cotati	Electrical
Cal Turf & Landscaping	Clovis	Planting & Irrigation
Playgrounds Unlimited	Santa Clara	Pour-in-Place Track Surface
Duran & Venables	Milpitas	Earthwork
Applied Finishes	Chico	Painting & Coating
Alcal	Fremont	Asphalt Shingles
Lincoln Glass	San Jose	Aluminum Framed Entrances

SUBCONTRACTOR LIST FOR **SINGULAR BUILDERS**

Business Name	**Address**	**Items/Portions of Work**
DWH Creative Contracting, Inc.	Richmond	Selective Demolition/Abatement
Berkeley Cement	Berkeley	Site & Structural Concrete
E & S Masonry Corporation	Castro Valley	CMU
Hayward	Hayward	Miscellaneous Metals
Gleaves Contractors, Inc.	San Francisco	Miscellaneous Metals
Jose	San Jose	Rough Carpentry
Milltek	Hayward	Millwork
Hayward	Hayward	Roofing
Sacramento	Sacramento	Insulation
Sullivan Construction Company, Inc.	Concord	Doors, Frames, and Hardware
Contra Costa Doors	Concord	Coiling Doors
Glazzen	San Francisco	Glazing
Freas Plastering Company, Inc.	Concord	Plaster
Sonoma	Sonoma	Drywall
Magnum Drywall	San Jose	Drywall
De Anza Tile	Fremont	Tile
Daley's Drywall	Campbell	Acoustical Ceiling
Bakers Flooring	San Mateo	Flooring
KBI Painting, Inc.	Pateluma	Painting
East Bay Restaurant Supply	Oakland	Food Service Equipment
Oakland	Oakland	Fire Sprinklers
Egan Plumbing, Inc.	San Carlos	Plumbing

Turnkey	Hayward	HVAC
Mike Brown Electric	Cotati	Electrical
A & B Construction	Oakland	Paving, Wet Utilities, Earthwork, Joint Trench, Site Demo
Ahlborn Structural Steel, Inc.	Santa Rosa	Fencing & Gates
California Turf & Landscaping	Fresno	Landscaping

SUBCONTRACTOR LIST FOR **GUZMAN CONSTRUCTION GROUP, INC.**

Business Name	**Address**	**Items/Portions of Work**
Capital Building Maintenance	S. San Francisco	Final Clean
Janus	Concord	Demolition
Creative Livermore	Livermore	Concrete Unit Masonry
Cahill Contractors	San Francisco	Rough Carpentry
Milltek Inc.	Hayward	Finish Carpentry
Prowest	Sacramento	FRP Plastic Wall Protection
Delta Buy Waterproofing	Antioch	Waterproofing
Sullivan Construction	Concord	DFH
United Cali Glass & Door	San Francisco	Sectional Overhead Doors
ACR Glazing	Oakland	Entrance Storefronts, Windows
Henley	Sacramento	Plaster
Custom Drywall	Milpitas	Drywall
FJ Stone & Tile	San Jose	Tiling
San Francisco Interiors	San Rafael	Acoustical Ceilings
Madden & Nelson	San Francisco	Painting
Specialized Graphics	Concord	Signage
Anatra Fire	San Francisco	Fire Sprinklers
Turnkey	Hayward	HVAC Ba
Bay Cities Grading & Paving	Concord	Earthwork
Blackrock	San Francisco	Site Concrete
Courtney	Livermore	Roofing
Fertado Heating & Air	Antioch	Sheet Metal
Bakers Flooring	San Mateo	Flooring
Egan Plumbing	San Carlos	Plumbing
BME Electric	Oakland	Electric
Green Growth	Pleasanton	Site Improvements
Golden State Steel & Stair	Vacaville	Structural Steel
Ahlborn	Santa Rosa	Fencing

County Administrator

County Administration Building
1025 Escobar Street, 4th Floor
Martinez, California 94553-1229
(925) 655-2075
(925) 655-2066 FAX

Monica Nino
County Administrator

Contra Costa County

Board of Supervisors

John M. Gioia
District 1

Candace Andersen
District 2

Diane Burgis
District 3

Ken Carlson
District 4

Shanelle Scales-Preston
District 5

January 23, 2026 ***Via U.S. Mail and electronic mail [bdissman@welyons.com]***

W.E. Lyons Construction Co.
Attention: Bryan Dissman, Senior Estimator
1301 Ygnacio Valley Rd.
Walnut Creek, CA 94598

Re: Your Firm's Bid Protest Letter
Brookside Mental Health Rehabilitation Center, Richmond
Project No. 135-2401

Dear Mr. Dissman:

This letter responds to your firm's bid protest on the above project. As explained below, your firm's bid protest must be rejected because it did not comply with the basic requirements in the project specifications. Even if your firm's bid protest could somehow be considered, the objections stated are all invalid.

Background

By letter dated 12/19/25, your firm protested the low bid submitted by Buhler Commercial ("Buhler"), which was $188,841 lower than your firm's bid. In your bid protest, your firm made the following objections to Buhler's low bid:

(1) Under Public Contract Code Sect. 4104, Buhler was required to but failed to list subcontractors for the following trades, which exceed the 0.5% statutory threshold: Structural Steel, Sheet Metal Flashings, Plaster, Gypsum Board Assemblies, Tile, Landscaping, and Site Utilities.

(2) Buhler holds only a Class B General Building Contractor's license and, under Business & Professions Code Sect. 7057, cannot self-perform the specialty trades in #1 above.

(3) By failing to list required subcontractors, Buhler has obtained an unlawful competitive advantage over other bidders.

(4) California courts have held that failure to comply with subcontractor listing laws is a material defect that cannot be waived.

(5) Buhler's bid is non-responsive as a matter of law and must be rejected.

Analysis and Determination

Our office, with assistance from the Public Works Department, has thoroughly reviewed your bid protest. The following is our analysis and determination:

A. Compliance with Bid Protest Requirements

Your firm's bid protest was not signed and submitted under penalty of perjury, as required by the project specifications. This defect prevents us from considering your bid protest, requires that it be rejected, and constitutes a waiver of your firm's right to further pursue the bid protest (see Instructions to Bidders, Document 00 21 13, Sect. 27.b, f and g).

B. Analysis of Bid Protest

Even if your bid protest had complied with the project specs and could somehow be considered, the following objections in your bid protest have no merit and would still be rejected:

(1) Under Public Contract Code Sect. 4104, Buhler was required to list all subcontractors performing work in excess of one-half of 1 percent. For any work over that threshold for which no subcontractor was listed, Buhler is qualified and required to self-perform that work (Public Contract Code Sect. 4106). That applies to the trades listed in your bid protest (see #1 above). Your firm has shown no violation of these statutes and has not even shown with factual evidence that the trades for which no subcontractor was listed by Buhler exceeded the statutory limit. Your claims to the contrary are speculative, lack factual support, and have no merit (see Instructions to Bidders, Sect. 27.b).

(2) Buhler has a valid Class B General Building Contractor license, which was the only contractor's license required to bid on this project (see Notice to Bidders, Document 00 11 16, Sect. 5). Per Business & Professions Code Section 7057, a B license holder like Buhler is legally qualified to perform a general contract involving at least two unrelated trades in addition to framing or carpentry, including self-performance of those trades as necessary. That applies to Buhler's bid here and it conforms with the material on the website of the Contractors State License Board (see attachment). Your firm has shown no violation of Section 7057 or contractor licensing laws by Buhler. Your claims to the contrary are speculative and have no merit.

(3) As noted in #1 and #2 above, your firm has not shown violation by Buhler of the subcontractor listing laws or contractor licensing laws. Moreover, your firm has shown nothing in Buhler's bid that would give them an unlawful competitive advantage against your firm. Your claims to the contrary are speculative, lack factual support, and have no merit.

(4) In support of your bid protest, you cited four legal decisions. We have reviewed the authorities cited in your bid protest and all of them involved different situations not relevant to the situation here with Buhler's low bid. The *Great West* case actually supports Buhler's bid because it emphasized that public agencies are normally required to award construction contracts to the lowest responsible bidder and voided an award to a higher bidder. Thus, the legal authorities cited by your firm do not support your position that Buhler's low bid must be rejected and your arguments to the contrary have no merit.

(5) Your firm has not shown any legal deficiency in Buhler's low bid and has not demonstrated that Buhler's bid was non-responsive as a matter of law or must be rejected. Your arguments to the contrary are speculative, lack factual support, and have no merit.

(6) For the sake of argument, even if Buhler's bid had any of the irregularities alleged by your firm, those would at most be considered minor irregularities that did not affect the bid price, that gave no actual competitive advantage to Buhler, that could be cured by the bidders or waived by the County, and that do not require rejection of Buhler's bid (see Notice to Bidders, Sect. 18; Instruction to Bidders, Sect. 30.)

(7) The County is required by statute to award to the lowest responsible bidder, which in this case is $188,841 less than your firm's second-place bid. (See Public Contract Code Sects. 22032(c) & 22038(b).) We cannot ignore that statutory requirement and that your bid protest would result in the County and its taxpayers paying at least $188,841 more for this project.

Conclusion

Based on the above, our office has determined that your firm's bid protest must be rejected for failure to comply with basic requirements of the project specifications and that, even if your bid protest could be considered, it is without merit, speculative, and factually unsupported. This is our final determination of your bid protest pursuant to the project specifications (see Instructions to Bidders, Sect. 27.g).

Having thoroughly reviewed and evaluated the bids submitted, we have also determined that Buhler is the lowest responsible bidder, having fully complied with all project requirements, including the Outreach Program (GFE) requirements. It is anticipated that the contract will be awarded by the Board of Supervisors to Buhler at the Board meeting on ***February 10, 2026***, which begins at 9:00 a.m. If your firm disagrees with the denial of your bid protest, you may appear at the Board meeting to comment on this matter. Any comments to the Board will be limited to the facts and arguments set forth in your firm's bid protest.

Best regards,

ERIC ANGSTADT
Chief Assistant County Administrator
Contra Costa County, CA

Attachments: Exhibit A: Contractors State License Board – Fast Facts

cc: Warren Lai, Public Works Director
Sarah Price, Deputy Director, Public Works Dept.
Paul Hundal, Div. Mgr., Public Works Dept., Capital Projects Div.
Diane Strassmaier, Public Works Dept., Capital Projects Div.
David F. Schmidt, County Counsel's Office
Michael L. George, County Counsel's Office
Buhler Commercial [steve@buhlercommercial.com]
D.L. Falk Construction Inc. [davet@dlfalk.com]

EXHIBIT A

CONTRACTORS STATE LICENSE BOARD

Fast Facts

What Jobs "B" General Building Can/Cannot Perform

The "B" General Building contractor license is the most common contractor license classification in California. As a result, the Contractors State License Board (CSLB) often receives questions about what jobs a B General Building licensee can legally perform.

The purpose of this Fast Facts sheet is to provide basic information regarding the permissible scope of work for contractors holding a B General Building contractor license.

Business and Professions Code (BPC) section 7057 defines a General Building contractor as someone whose principal contracting business is in connection with "any structure built, being built, or to be built for the support, shelter, and enclosure of persons, animals, chattels or movable property of any kind, requiring in its construction the use of at least two unrelated building trades or crafts, or to do or superintend the whole or any part thereof." The BPC provides additional clarification as summarized below.

A "B" General Building Contractor Can...

- Enter a prime or sub-contract for a framing or carpentry project and self-perform the work.
- Enter a prime or sub-contract for two or more separate and unrelated trades and self-perform the work (framing and carpentry cannot count as one of the trades).

A "B" General Building Contractor Cannot...

- Enter a prime contract for any project involving trades other than framing or carpentry ***unless:***
  - The prime contract requires at least two other, unrelated building trades or crafts; **or**
  - The "B" General Building contractor holds the appropriate license classification or subcontracts with an appropriately licensed specialty contractor to perform the work.
- Enter a sub-contract involving trades other than framing or carpentry ***unless:***
  - The sub-contract requires at least two other, unrelated trades or crafts; **or**

The Contractors State License Board, which operates under the umbrella of the California Department of Consumer Affairs, licenses and regulates California's 285,000 contractors, and is regarded as one of the leading consumer protection agencies in the United States.

9821 B... Horn Park Drive
S... Ramento
California
95827

P.O. Box 26000
Sacramento
California
95826-0000

800.321.CSLB (2752)
www.cslb.ca.gov
CheckTheLicenseFirst.com

Falk
CONSTRUCTION, INC.
State License #683837

D.L. Falk Construction Inc.

3526 Investment Blvd., Hayward, CA 94545 • /www.dlfalk.com/
Phone 510-887-6500 • Fax: 510-887-6501

12/23/25

CAPITAL PROJECTS MANAGEMENT DIVISION
PUBLIC WORKS DEPARTMENT
CONTRA COSTA COUNTY
40 MUIR ROAD, 2nd FLOOR
MARTINEZ, CALIFORNIA 94553

RE: Brookside Mental Health Center Bid Protest

Attn: Diane Strassmaier

Ms. Strassmaier -

As you are aware, DL Falk Construction, Inc. ("DLF") is the third apparent low bidder for the Brookside Mental Health Center Project which bid on 12/17/25. After reviewing the bids submitted by Buhler Commercial and WE Lyons Construction Inc., the 1st and 2nd apparent low bidders, please consider this notice as DLF's formal protest to both bids.

DLF is considering this protest in compliance with the timing requirements of the Ca Public Contract Code and County requirements as the bidder information, or protest able material, was distributed by the County on 12/22/25.

Basis of Protest (Legal)

A bid is responsive if it promises to do what the bidding instructions require. Bay Cities Paving & Grading, Inc. v. City of San Leandro (2014) 223 Cal.App.4th, 1181, 1187. Specifically, all bidders must submit a sufficient (complete) Subcontractor List on its subcontractor listing form in accordance with the requirements of California Public Contract Code Section 4104.

Buhler Commercial and WE Lyons Construction, Inc. both failed to meet this mandatory requirement.

A contractor, at the time of the bid, is required to supply the name, location, and license number of each subcontractor that will perform work which exceeds ½ of 1% in value when compared to the total cost of the prime contractors' total bid, the Cal. Pub. Contract Code§ 4104 subcontractor listing requirements are as follows:

All prime contractors must list:

(a)(1) The name, the location of the place of business, the California contractor license number, and public works contractor registration number issued pursuant to Section 1725.5 of the Labor Code of each subcontractor who will perform work or labor or render service to the prime contractor in or about the

construction of the work or improvement, or a subcontractor licensed by the State of California who, under subcontract to the prime contractor, specially fabricates and installs a portion of the work or improvement according to detailed drawings contained in the plans and specifications, in an amount in excess of one half of 1 percent of the prime contractor's total bid, or, in the case of bids or offers for the construction of streets or highways, including bridges, in excess of one-half of 1 percent of the prime contractor's total bid or ten thousand dollars ($10,000), whichever is greater.

When considering the public bidding requirements of Cal. Pub. Contract Code§ 4104, this would mean that Buhler Commercial would need to list any subcontracted work that exceeded $87,500.00, and WE Lyons Construction, Inc. would need to list any subcontracted work that exceeds $88,500.00 – this clearly did not happen.

Basis of Protest (Cause)

Buhler Commercial & WE Lyons Construction, Inc. Failure to List Poured-in-Place Walking Track Subcontractor

One of the critical components of the project's site scope of work is the installation of the poured-in-place walking track. This work constitutes a specialty trade requiring demonstrated experience in the installation of the specified product, as well as current, product-specific certifications. In recognition of these requirements, DLF obtained pre-bid pricing from qualified installers who satisfy these criteria, including DLF's listed installer, No Fault.

The cost of this scope of work is approximately $240,000.00, which exceeds the applicable monetary threshold and therefore requires both contractors to identify the proposed installer. Pursuant to Keynote P2 of the Paving Legend, Ross Recreation is the specified material provider for this work. Any contractor electing to self-perform this scope must be a certified installer of the specified product at the time of bid submission.

PAVING LEGEND

KEY	DESCRIPTION	COLOR	FINISH	MANUF. / SUPPLIER	DETAIL REFERENCE
P1	ASPHALT PAVING, W/ METAL HEADER.	BLACK	-	-	DETAIL E, SHEET L-8.1
P2	WALKING TRACK WITH POURED IN PLACE SURFACE AND CONCRETE HEADER.	SURFACE: ALMOND LINES: WHITE	N/A	ROSS REC	DETAIL C & D, SHEET L-8.1

Neither Buhler Commercial nor WE Lyons Construction, Inc. have ample experience installing this product nor were they certified by Ross Rec to do so when submitting their bid for the project. As such, the bids submitted by Buhler Commercial & We Lyons Construction Inc. are non-compliant with Cal. Pub. Contract Code§ 4104, due to not listing a subcontractor to perform work which exceeds ½ of 1% of their total base bid, and concurrently not maintaining the required installation certifications to self-perform this work.

Buhler Commercial Failure to List Landscaping Contractor

Buhler Commercial neglected to list a landscaping contractor, the cost to perform landscaping at this project is $177,000.00. Buhler Commercial is not a company that performs or has experience of performing landscaping on this scale, and cannot meet the experience criteria as noted in the contract documents:

1.3 QUALITY ASSURANCE

A. Qualifications:

1. Experience: The landscape contractor or maintenance subcontractor shall have a full-time employee assigned to the job as foreman for the duration of the contract. He/she shall have a minimum of four (4) years' experience in landscape maintenance supervision.
2. Labor Force: The landscape maintenance labor force shall be thoroughly familiar with and trained in the work to be accomplished and shall perform the task in a competent, efficient manner acceptable to the Owner.

Basis of Protest (Effect)

Local and State public bidding requirements serve as the foundational framework for ensuring fairness, transparency, and equal treatment in the public procurement process. These requirements mandate that all bidders be afforded equal opportunity and be evaluated on a consistent and objective basis for the performance of the work as advertised by the awarding authority. Any waiver of bidding requirements that permits the consideration of incomplete or non-responsive bids would improperly introduce subjectivity into the competitive bidding process and undermine its integrity. City of Inglewood–Los Angeles County Civic Center Authority v. Superior Court, 7 Cal. 3d 861, 867 (1972).

Failure to enforce the County's bidding requirements uniformly and equally among all bidders would constitute arbitrary and capricious action and would provide legal grounds for setting aside any resulting award. Permitting Buhler Commercial or WE Lyons Construction, Inc. to engage in post-bid buyouts, revisions, or adjustments to their original bids to reduce costs or cure scope deficiencies would afford those bidders a material and unfair advantage not extended to other bidders who submitted complete and responsive bids.

Moreover, the waiver or modification of material bidding requirements after bid opening would confer a competitive advantage upon Buhler Commercial and WE Lyons Construction, Inc. over other bidders who fully complied with the solicitation requirements at the time of submission. Considering the material nature of these irregularities and the resulting competitive advantage obtained, such deficiencies are nonwaivable and must not be permitted.

Conclusion

Based on these findings, the bid submitted by both Buhler Commercial and WE Lyons Construction, Inc. are non-responsive due to the bid form not meeting the County bidding requirements or the obligations of the Ca. Public Contract Code. DLF respectfully requests that the County reject both bid's and award the project to DLF as the lowest responsive bidder.

If you have any questions or would like to discuss further, I can be contacted at davet@dlfalk.com or 510-887-6500.

David T. Falk
Vice President/Managing Partner

NO FAULT SAFETY SURFACE PROPOSAL

NO FAULT LLC
6750 Exchequer Dr. ♦ Baton Rouge, LA 70809
Toll Free: (866) 637-7678 ♦ Fax: 225-442-0007
766 S Gifford Ave ♦ San Bernardino, CA 92408
Toll Free: (909) 381-1014 ♦ Fax: (909) 383-2847
www.nofault.com
CALIFORNIA LIC# 1052576 / DIR#: PW-LR-1000374347

Project Name: Brookside Mental Health Rehabilitation Center
Site Address: Address
City: Richmond State CA Zipcode: Zipcode

Proposal Date: 12/17/25
Expiration Date: 1/22/26
Rep: House

Customer: D.L. Falk Construction, Inc.
Attention: D.L. Falk Construction, Inc.

Phone / Fax : Phone Number
Email: Email Address

1. **SCOPE OF WORK AND CONTRACT PRICE.**

PROJECT:	SITE LOCATION & SHIPPING ADDRESS:
NAME: Brookside Mental Health Rehabilitation Center	SITE: Brookside Mental Health Rehabilitation Center
	SHIPPING: Address
CONTACT: D.L. Falk Construction, Inc.	Richmond CA Zipcode
	SITE CONTACT: Site Contact PHONE: Site Contact Phone

SCOPE OF WORK: Install a total of **5,640** square feet of No Fault Safety Surface on **1** areas, as follows:

Cap Thickness on All Areas: 1/2 inch							Binder Type:
Area Desc/Notes	Square Feet	Depth	CFH	Edge Detail	Colors / Graphics	Subbase	ALIPHATIC
1	5640	1.75	4' CFH	Flush to edge	100% Color TBD	Stone	
TOTAL SF:	5640	Price/SF	$41.75			SUBTOTAL	$235,470.00
						Freight	$4,530.00
Customer is responsible for security of surfacing after installation is complete.						Grand Total	$240,000.00

NOTES: Walking Track: 5,640 sqft at 1.75" depth - GC must confirm required thickness and square footage
100% Color with with aliphatic binder - aromatic binder available at a price decrease
Union Wages - PLA Required
Stone sub-base to be done by others
Paint track striping to be done by others

Qualifications & Notes:

Yes	Prevailing/Union Wages with Cert. Payroll			County:	Contra Costa County		
No	Specifications Provided	1	# of Mats	No	Graphics Required	No	Restricted Site Access
No	Plans/Photos Provided	N/A	Distance Between Mats	No	Indoor / Courtyard	1	# of Mobilizations ***
No	Bond Copies Provided	1	# of Jobsites	No	Rooftop / Basement	No	Badging
5	Warranty Term (Years)	N/A	Distance Between Sites	1	Floor #	No	Safety Courses

ACCEPTANCE: The undersigned, stated as "customer" (above), agrees and accepts the terms and conditions of this proposal and the installation agreement terms listed below. Upon acceptance of this agreement please fax to 225-442-0007 or email to Montana Kienzle **. No Fault will then contact you to coordinate payment terms and an installation date.**

******Extraordinary costs such as material increases, remobilizations, storage fees, etc. are not included. No Fault will make every attempt to maintain the original cost; however, due to unprecedented changes in the marketplace, we will reevaluate costs at time of installation prior to shipment of materials and crew mobilization. All changes/change orders will be priced at the current market price.***

D.L. Falk Construction, Inc.

Signature Date

Installation Date: __/__/____
Installation Deadline: __/__/____
Review Date: __/__/____

***Pricing is subject to review if installed after date listed above.

Submitted by NO FAULT LLC: Montana Kienzle

By signing the above proposal, acceptance of the No Fault Safety Surface Installation Agreement ("NFIA") terms and conditions, is legally made and entered into on the date subscribed to below, by NO FAULT LLC ("NF"or"No Fault") and **D.L. Falk Construction, Inc.** ("Contractor/Owner," collectively herein referred to as "Customer"), who and which ("Work" hereby agree that, in connection with the No Fault Safety Surface ("NFSS") installation located at **Brookside Mental Health Rehabilitation Center** or "Project"), they do hereby agree and confirm as follows:

Surface shall be installed per the applicable drawings and the Standard NFSS specifications. Customer agrees to provide NF with all plans and additional specifications at least fifteen (15) days prior to installation. This contract is contingent upon acceptance of NF standard submittals and does not include arranging or paying for the Field Test Requirements of ASTM F3313-19.

NOTE: ALL COLORS WILL FADE. While a normal amount of color fading can be expected on all colors, especially in outdoor use, accelerated color changes can occur on "special" colors, including but not limited to eggshell, purple, gray, green and blue. In addition, all colors may "Amber." Ambering is a temporary discoloration of the surface that may occur immediately after installation. It is caused by a chemical reaction that is created when the polyurethane binder comes in contact with the UV rays. The Ambering is only on the top "skin" of the Color Layer and has no effect on the quality or integrity of your surface. It is most evident in warmer climate projects, but will fade with normal use. This process can take weeks or even months.

NOTE: NFSS surface temperature will vary with the ambient temperature. Child care guidelines suggest that children should refrain from heat exposure. Consumer Product Safety Commission "CPSC" Guidelines suggest that a playground should be in a shaded location and that the Customer is responsible for providing warnings that equipment and surfacing exposed to intense sun can burn. NF assumes no liability regarding such exposure to surface temperature, as this should be monitored prior to use of surfacing. NF also assumes no liability for the expansion and contraction of the surfacing during freeze/thaw events.

CONTRACT PRICE: DOLLARS ($239,970.00)

The price is valid for forty-five (45) days from the date this Agreement is signed by Customer. If a deposit is required for the above mentioned project, payment must be received two weeks prior to mobilization date of materials and No Fault Crew and/or No Fault Certified (subcontracted) Installers arrival at the job site. Customer accepts that NF reserves the right to utilize No Fault Crews or No Fault Certified (subcontracted) Installers.

"Customer/Owner authorizes and consents to the assignment of this Agreement to any affiliate entities or future entities created by way of merger or acquisition."

Payment Terms: To Be Determined Upon Credit Review **Prevailing Wage / Certified Payroll:** ARE Contra Costa County included in this Contract Price.

2. PAYMENT TERMS.

For Repair Kit orders OR in amounts of $100 or less, payment in full is required at the time of the order. For all other orders, a fifty (50%) percent deposit is required, unless expressly waived by No Fault. (Orders from governmental entities are excluded from the deposit requirement.) A processing fee of 2.5% of the transaction amount will apply to all payments made by credit card (This is for all customers including governmental entities).

3. SCHEDULE

Temperatures MUST be at least 50 degrees Fahrenheit and rising for the installation and curing of the NFSS. NF requires written verification that the project is ready to receive the entire NFSS installation. Notice to proceed shall be given to NF at least fourteen (14) days in advance and any scheduled changes shall be given at least ten (10) days in advance. Because of the nature of the NFSS and a preference to avoid seams, the NFSS installation shall be done in one continuous phase, without interruptions. Therefore, NF requires the availability to work before and after normal working hours, including Saturdays, Sundays, and holidays. Completion time shall be the number of days agreed to by the parties, weather permitting, plus an additional 48 to 72 hours for curing. The cure period may take longer if environment is dry and/or cold. The NFSS should not be used until it has fully cured.

4. ACCESS & EQUIPMENT.

Customer shall provide and arrange for full time, direct, and continuous access to the No Fault Safety Surface installation site, including hoisting or sufficient elevator service, if necessary. NF shall use heavy equipment (a fully loaded, one ton flatbed), which will require suitable access roads to the installation site entrance. NF requires a storage and staging area approximately 20' by 20' (minimum), which shall be located at the installation site and be accessible at all times. Customer must also provide, at no additional charge to NF, an on-site dump area or dumpster for waste and debris associated with the installation.

5. DELAYS & REMOBILIZATIONS.

Once the NF crew and/or No Fault Certified (sub-contracted) Installers have arrived on site, any delays shall result in delay charges and/or remobilization charges being levied as part of this Agreement. Any changes in schedule by Customer or their representatives that may necessitate storage of materials and will result in storage charges to be paid by Customer.

6. LIQUIDATION DAMAGES & PENALTIES.

If applicable to the Prime Contract between Contractor/Customer and Owner, NF acknowledges that Customer may suffer damages, should NF cause a delay. NF agrees that if NF is the sole cause of delay, then NF shall pay to Customer one half of one percent (.005%) of the total Contract Price per day, as liquidated damages. The liquidated damages provided herein shall be in lieu of all liability for extra costs, losses, expenses, claims, penalties, and other damages incurred by Customer, which are due to delay in NF's performance or in achieving completion of the Work within the timeframe agreed by the parties herein. In no event shall the total liquidated damages exceed the amount owed by Contractor to Owner or $1,500, whichever is the lesser of the two.

7. INDEMNIFICATION.

To the fullest extent permitted by law, NF shall indemnify and hold harmless the Customer, Customer's representatives, agents and employees from all claims, losses, damage and expenses, including attorney's fees, arising out of or resulting from the performance of the work, provided that such claim, loss, damage or expense is caused by any negligent act or omission of the NF, anyone directly employed by NF or anyone whose acts or omissions NF may be liable for and attributes to bodily injury, sickness, disease, death or to injury to or destruction of tangible property, including any resulting loss of use. Notwithstanding anything contained herein to the contrary, NF's liability for any indemnification herein where NF is found to be only partially at fault, same shall be limited to the percentage of fault so determined by a court of competent jurisdiction, final mediation settlement or final arbitration award that apportions fault or damages. Further, Customer agrees to hold harmless, defend and indemnify NF from any claim, suit or cause of action for personal injury, death or property damage where any allegation of negligence, fault or strict liability is made against NF or Customer by anyone who is allegedly injured after the NFSS is installed.

8. TERMINATION OR CANCELLATION FOR CONVENIENCE.

If this Agreement is terminated or cancelled by the Customer for convenience, Customer shall immediately notify NF of cancellation in writing at 6750 Exchequer Dr. Baton Rouge, LA 70809, or via email to the Director of Operations. All cancellations are subject to, 1) Cancellation Fee; 2) a Restocking Fee; and 3) reimbursement to NF for all costs incurred to the date of cancellation/termination. Furthermore, all cancellations within two (2) weeks of the scheduled installation date will result in forfeiture of the total deposit amount, in addition to the Cancellation Fee, Restocking Fee, and applicable costs reimbursement.

9. PERMITS & LICENSES.

Other than those permitting NF to work in the referenced State, Customer shall be responsible for obtaining all necessary construction and/or governmental permits and licenses required for the installation of the NFSS, along with any applicable state or local taxes. If for any reason NF is required to obtain these permits and/or licenses, they shall be obtained and paid for by Customer. Further, Customer will notify NF of any safety training and obtain any special badging required for NF installers. Requests for background checks should be requested at the time of quotation.

10. VARIATIONS AND CHANGES ORDERS.

The Contract Price is subject to change should there be variations in the square footage, depth, colors and/or graphics of the project. Upon notification that one or more of these factors has changed, NF will issue Customer a written Change Order for Customer's acceptance and signature. If a dispute arises and cannot be resolved NF reserves the right to suspend work until an agreement can be reached. Suspension of work by NF does not constitute a default of this Agreement. NF will, however, continue work on the original scope of work, if possible, until all disputes are resolved. The suspension of Work under this provision shall not trigger the Liquidated Damages or any Penalties provided for in Provision 6 herein.

11. UNKNOWN/UNEXPECTED CONDITIONS AND FORCE MAJEURE.

Customer agrees that if NF encounters unknown or unexpected conditions that could not have been reasonably anticipated by NF in preparing its proposal or the Contract Price, such that the scope of NF's work is expanded beyond that which is contained in the Contract Price, the Customer agrees to an equitable adjustment to the contract price to compensate NF for its additional labor, materials, overhead and profit margin. The unknown or unexpected condition shall include, but not be limited to: 1) abnormal and unexpected surface conditions; 2) physical or site conditions that were not visible to NF; 3) physical or site conditions that were not disclosed by Customer and were not included in the plans and specifications; or 4) other factors beyond the control of the parties. If the Customer and NF cannot agree upon an equitable adjustment of the Contract Price, then Section 20 below, Dispute Resolution, will govern this dispute.

NF shall not be liable to the Customer for any delay, loss of efficiency, interruption, disruption, loss of productivity or the like (herein "delay") as a result of or arising from: (1) fire, weather, flood, wind, lightning, storm, earthquake, rain, acts of God or other catastrophic event; (2) any act, neglect or fault of the Contractor, Owner, Architect, Engineer, or any of their representative, agents, employees, independent contractors or Subcontractors; (3) any delay in transportation or availability of any materials involved in the Project; (4) any labor disputes, strikes, riots, or other labor issues; (5) any act of terrorism or threats of terrorism; or (6) any other causes beyond the NF's or Customer's control.

12. INSURANCE & LIMITATIONS OF DAMAGES.

NF maintains the following insurance coverages:

1. Workers' Compensation & Employer's Liability ($1,000,000);
2. General Liability & General Aggregate ($1,000,000); and
3. General Umbrella Coverage ($5,000,000).

Upon request, NF shall furnish a Certificate of Insurance to Customer. If additional insurance is required, either by type/duration and/or amount, then NF shall be entitled to an increase in the Contract Price to reflect the increased premium charged for all additional coverages. Customer agrees to maintain Workers' Compensation & Employers Liability insurance to protect the employees & agents of Customer for any claim, suit, or cause of action brought by the employees or agents of Customer for personal injury, death or property damage relating to the Scope of Work herein and this Contract Agreement. After the installation is complete and the surface is ready for use, Customer agrees to furnish & maintain liability insurance coverage of not less than $1,000,000 for any claim, suit or cause of action for personal injury, death or property damage that may name NF as an additional insured.

13. WARRANTY PROVISIONS.

This Agreement includes the Standard No Fault Safety Surface product warranty (a sample can be provided upon request). The actual signed warranty and maintenance guidelines will be executed following final payment to NF. Please note that all payments must be received per the agreed terms herein. Failure to make payment per the terms and conditions of this Agreement, will automatically void the warranty. NF expressly represents and warrants that it holds special knowledge, training and experience in such work, and that NF shall provide everything required or necessary to complete the Work contemplated by this Agreement to industry standards.

14. SECURITY.

Customer shall provide and arrange for security against pedestrian traffic, vandalism, and damage from other trades. NF is responsible for security only while the NF crew and/or No Fault Certified (sub-contracted) Installers are on the job site during the No Fault Surface installation procedure. Customer is responsible for security and protection of materials and completed work during crew's/installer's off hours and during the curing period, upon completion of the installation (min. of 48-72 hours). Any damage to the surface during the curing period will be repaired at the Customer's expense.

15. BONDS.

Performance, materials, maintenance and payment bonds are not included in this contract price.

16. SURFACE LAYOUT/DESIGN.

Customer shall provide and arrange for the all layouts. NF gives no opinion or advice concerning fall height requirements or minimum use zones. NF is not the designer of this Project and Customer is not relying on NF for design services or design expertise. NF provides no drawings of any kind. In those instances where fall height requirements or minimum use zones may be an issue, NF will act only on the Customer's direction. In every instance pertaining to layout and design, Customer assumes full responsibility for and agrees to hold harmless, defend, and indemnify NF from all claims, suits, or causes of action. NF submits that this and all projects will be installed per applicable industry standards.

17. BASE REQUIREMENTS.

Unless otherwise specified, in writing, between the parties, Customer shall provide and arrange all base work and drainage, including layout, grade, slope, and planarity. Customer agrees to complete all base work and equipment installation prior to scheduled arrival of the NF crews and/or No Fault Certified (sub-contracted) Installers. Base shall be installed per NF applicable Base Requirements and shall be clean and free of debris. Although NF shall advise Customer if it sees a deficiency in work-by-others obvious by visual inspection, NF accepts no responsibility for work-by-others. It is Customer's responsibility to ensure the accuracy of work done by others, and Customer agrees to release NF from any and all responsibility, including, but not limited to, the repair of any defects that are the result of said work done by others. NF does not accept responsibility for site work, grading or stone work (of any kind), including slope, completed by others. It is the responsibility of the Customer to approve the stone base, grading and slope prior to the start of NF's scope of work. Customer accepts and acknowledges that improper base work can have a direct negative impact on the integrity, final grade and slope of the surface and relieves NF of any liability or responsibility related to such issues.

18. COLD JOINTS.

No Fault Surface may have "cold joints," if one or more of the following conditions apply:

a) size greater than 2,000 sq. feet;
b) installation interrupted by unfavorable weather, e.g. precipitation
c) installation which involves an "adjacent pour" due to color change
d) installation interruption by factors beyond NF's control; and
e) excessive and/or finely detailed graphics.

19. MAINTENANCE OBLIGATIONS.

Customer acknowledges its responsibility for routine inspection and maintenance of the NFSS once the installation is complete and in accordance with the most current NFSS Maintenance Guidelines, which have been provided by NF to Customer. Customer is responsible for the surface once NF's crew and/or No Fault Certified (sub-contracted) Installers depart from the location. Customer acknowledges that improper maintenance may void the warranty.

20. DISPUTE RESOLUTION.

NF and Customer agree that each will, in good faith, attempt to resolve any disputes that arise during or after the performance of this Agreement. If any dispute arises that cannot be amicably resolved by mutual agreement of the Parties, then both NF and Customer agree that the dispute may be resolved by mediation or binding arbitration, in accordance with the Rules of the American Arbitration Association and at a forum convenient to both Parties, or as set by the American Arbitration Association. The election to mediate or arbitrate is waived if Contract Price is under $2,000.00. This Agreement shall be interpreted under the laws of the State of Louisiana and any enforcement action may be brought in the State of Louisiana.

21. ENTIRE AGREEMENT.

This Agreement, any Change Orders, the NFSS Maintenance Guidelines, and if applicable, the Customer's Release and Responsibility Form, constitute the full and complete agreement between the parties herein. No other representations, understandings, or agreements have been made, or relied upon, other than those set forth herein. The rights and obligations contained herein may be modified, in writing, by the agreement of both parties, and are for the benefit of and are enforceable by the parties, their heirs, personal representatives, successors and assigns. THIS AGREEMENT AND ALL ASSOCIATED CHANGE ORDERS SUPERSEDE ALL OTHER CONTRACTS, AGREEMENTS AND/OR DOCUMENTS ASSOCIATED WITH THIS PROJECT.

22. JOB COMPLETION AND SATISFACTION.

Upon completion, Customer or Customer's appointed representative, must be available at the jobsite to inspect the surface installation and confirm that it has been installed to their satisfaction. A form will be provided by the NF installation crew foreman and/or No Fault Certified (sub-contracted) Installers, or Customer's appointed Representative immediately following completion to be signed.

23. SEVERABILITY.

If any term, provision, covenant, or condition of this Agreement is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remainder of the provisions shall remain in full force and effect, and shall in no way be affected, impaired, or invalidated.

NO FAULT LLC	D.L. Falk Construction, Inc.
BY: _____	BY: _____
PRINTED NAME: Michele Munson	PRINTED NAME: D.L. Falk Construction, Inc.
TITLE: General Manager	TITLE: _____
DATE: _____	DATE: _____

County Administrator

County Administration Building
1025 Escobar Street, 4th Floor
Martinez, California 94553-1229
(925) 655-2075
(925) 655-2066 FAX

Monica Nino
County Administrator

Contra Costa County

Board of Supervisors

John M. Gioia
District 1

Candace Andersen
District 2

Diane Burgis
District 3

Ken Carlson
District 4

Shanelle Scales-Preston
District 5

January 23, 2026

Via U.S. Mail and electronic mail [davet@dlfalk.com]

D.L. Falk Construction Inc.
Attention: David T. Falk, Vice President/Managing Partner
3526 Investment Blvd.
Hayward, CA 94545

Re: Your Firm's Bid Protest Letter
Brookside Mental Health Rehabilitation Center, Richmond
Project No. 135-2401

Dear Mr. Falk:

This letter responds to your firm's bid protests on the above project. As explained below, your firm's bid protests must be rejected and/or returned because they did not comply with the basic requirements in the project specifications. Even if your firm's bid protests could somehow be considered, the objections stated are all invalid.

Background

By letter dated 12/23/25, your firm protested the low bid submitted by Buhler Commercial ("Buhler"), which was $481,699 lower than your firm's bid. Your letter also protested the second-place bid submitted by W.E. Lyons Construction Co. ("Lyons"), which bid was $282,858 lower than your firm's bid. Your letter was accompanied by a $1,000 fee paid by your firm.

In your bid protest letter, your firm made the following objections:

(1) Buhler and Lyons failed to submit a sufficient (complete) listing of subcontractors, as required by Public Contract Code Sect. 4104.

(2) Buhler and Lyons failed to list a subcontractor for the Poured-in Place Walking Track, as required by Section 4104. In addition, they themselves lack ample experience installing that product and they are not certified by Ross Recreation, the specified material supplier.

(3) Buhler failed to list a subcontractor for Landscaping, Buhler itself is not a company that performs or has experience performing landscaping on the required scale, and Buhler cannot

meet the experience criteria noted in the contract documents.

Analysis and Determination

Our office, with assistance from the Public Works Department, has thoroughly reviewed your bid protests. The following is our analysis and determination.

A. Compliance with Bid Protest Requirements

Your firm's bid protests were not signed and submitted under penalty of perjury, as required by the project specifications. This defect prevents us from considering your bid protests, requires that they be rejected, and constitutes a waiver of your firm's right to further pursue the bid protests (see Instructions to Bidders, Document 00 21 13, Sect. 27.b, f and g).

Per the project specifications, your firm was required to file a separate protest as to each bid being protested and to submit a $1,000 fee for each protest. Protests filed without the corresponding fee will not be considered by the County and will be returned. The fee requirement is mandatory and failure to fully comply with it constitutes a waiver of any right to further pursue the bid protests (see Instructions to Bidders, Sect. 27.a, c and f).

In this case, your bid protest letter was a combined protest against two bids (Buhler and Lyons) rather than two separate protests, as required by the project specifications. Moreover, your firm paid only one $1,000 fee instead of the two fees ($2,000) required by the project specifications. These defects alone prevent your protests from being considered by the County, require that your protests be returned and/or rejected, and constitute a waiver of your firm's right to further pursue the bid protests. At the very least, your failure to pay one fee means that your firm is entitled to review of only one protest (i.e., Buhler's low bid) and has waived the right to protest the second-place bid (Lyons) in front of your firm's bid.

The project specifications also required that a copy of your bid protests be transmitted to Buhler and Lyons and that your firm provide confirmation of receipt. In this case, your bid protest letter does not indicate that it was transmitted to Buhler and Lyons and your firm has otherwise not provided any confirmation of transmittal or receipt. This failure to comply with the required procedures is yet another reason why your bid protests are defective, are subject to rejection by the County, and constitute a waiver of your firm's right to further pursue the bid protests (see Instructions to Bidders, Sect. 27.d, f and g).

B. Analysis of Bid Protests

Even if your bid protests had complied with the project specifications and could somehow be considered, the following objections in your bid protests have no merit and would still be rejected:

(1) In stating that Buhler and Lyons failed to submit a sufficient (complete) listing of subcontractors, as required by Public Contract Code Sect. 4104, your firm has not specified how their lists of subcontractors were inadequate, other than stating that two subcontractors (Poured-in-Place Walking Track and Landscaping) should have been listed but were not.

Contrary to the claim in your bid protest letter, the lists of subcontractors submitted by both Buhler and Lyons included the information for each subcontractor required by statute (name, location, contractor license number, and DIR registration number).

As for Buhler and/or Lyons not listing subcontractors for Poured-in-Place Walking Track and Landscaping, your firm has provided no specific evidence that Buhler or Lyons is going to use a subcontractor at a cost above the listing threshold. Your claim also ignores that Buhler and Lyons would be legally able to self-perform those work items, in which case no subcontractor listing would be required (see Public Contract Code Sect. 4106; Business & Professions Code Sect. 7057). Thus, your claim for those work items is speculative, does not show a statutory violation, and lacks factual support (see Instructions to Bidders, Sect. 27.b).

(2) In stating that Buhler and Lyons lack ample experience installing Poured-in-Place Walking Track, your firm has provided no evidence supporting that claim. Thus, your claim is speculative and lacks the factual support required by the project specifications (see Instructions to Bidders, Sect. 27.b).

Contrary to the claim in your bid protest letter, the reference to Ross Recreation, the manufacturer/supplier listed in Keynote P2 of the Paving Legend, does not include any requirement that the general contractor or the subcontractor for the Poured-in-Place Walking Track possess a certification from Ross Recreation. Your firm has otherwise not cited any language in the project specifications that specifically requires such a certification. Here again your claim is speculative, lacks the factual support required by the project specifications, and fails to cite a specific provision or statute that has been violated (see Instructions to Bidders, Sect. 27.b).

(3) In stating that Buhler is not a company that performs or has experience performing landscaping on the required scale, your firm has not cited any project specification requiring such experience and has provided no factual evidence to back up that claim. Thus, your claim is speculative and unspecific and it lacks the factual support required by the project specifications (see Instructions to Bidders, Sect. 27.b).

In stating that Buhler cannot meet the experience criteria noted in the contract documents, your firm has cited language in Section 1.3 Quality Assurance that requires the landscape contractor or maintenance subcontractor to have a full-time employee assigned as foreman, which employee has a minimum of four years' experience in landscape maintenance supervision. However, you have provided no factual evidence that Buhler or its subcontractor will not have a person with the required supervisory experience assigned to this project. Here again, your claim is speculative, lacks the factual support required by the project specifications, and fails to cite a specific provision or statute that has been violated (see Instructions to Bidders, Sect. 27.b).

(4) For the sake of argument, even if the bids from Buhler and/or Lyons had any of the irregularities alleged by your firm, those would at most be considered minor irregularities that did not affect bid prices, that gave no actual competitive advantage to Buhler and/or Lyons, that could be cured by the bidders or waived by the County, and that do not require rejection

of their bids (see Notice to Bidders, Document 00 11 16, Sect. 18; Instructions to Bidders, Sect. 30).

(5) The County is required by statute to award to the lowest responsible bidder, which in this case is $481,699 less than your firm's second-place bid (see Public Contract Code Sects. 22032(c) & 22038(b).) We cannot ignore that statutory requirement and that your bid protests would result in the County and its taxpayers paying at least $481,699 more for this project.

Conclusion

Based on the above, our office has determined that your firm's bid protests must be rejected and/or returned for failure to comply with basic requirements of the project specifications and that, even if your bid protests could be considered, they are without merit, speculative, and factually unsupported. This is our final determination of your bid protests pursuant to the project specifications (see Instructions to Bidders, Sect. 27.g).

Having thoroughly reviewed and evaluated the bids submitted, we have also determined that Buhler is the lowest responsible bidder, having fully complied with all project requirements, including the Outreach Program (GFE) requirements. It is anticipated that the contract will be awarded by the Board of Supervisors to Buhler, the lowest responsible bidder, at the Board meeting on ***February 10, 2026***, which begins at 9:00 a.m. If your firm disagrees with this determination of your bid protests, you may appear at the Board meeting to comment on this matter. Any comments to the Board will be limited to the facts and arguments set forth in your firm's bid protests.

Best regards,

ERIC ANGSTADT
Chief Assistant County Administrator
Contra Costa County, CA

cc: *Warren Lai, Public Works Director*
Sarah Price, Deputy Director, Public Works Dept.
Paul Hundal, Div. Mgr., Public Works Dept., Capital Projects Div.
Diane Strassmaier, Public Works Dept., Capital Projects Div.
David F. Schmidt, County Counsel's Office
Michael L. George, County Counsel's Office
Buhler Commercial [steve@buhlercommercial.com]
W.E. Lyons Construction Co. [bdissman@welyons.com]

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 26-573 **Agenda Date:** 2/10/2026 **Agenda #:** C.67.

To: Board of Supervisors

From: Warren Lai, Public Works Director/Chief Engineer

Report Title: Approve Design-Build Procurement for the CEC Government Fleet EVSE Projects

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
AUTHORIZE the use of design build procurement in accordance with Public Contract Code Section 22164 for the California Energy Commission (CEC) Government Fleet Energy Vehicle Supply Equipment (EVSE) Projects located at fourteen different sites.

Site 1 Sheriff's Office- 9100 Brentwood Blvd, Brentwood
Site 2 Buchanan Airport- 181 John Glenn Dr, Concord
Site 3 Employment & Human Services- 151 Linus Pauling Dr, Hercules
Site 4 Sheriff's Office - 1980 Muir Rd, Martinez
Site 5 Assessors Office- 2530 Arnold Dr, Martinez
Site 6 Child Support Services- 50 Douglas Dr, Martinez
Site 7 Downtown Martinez Charging Hub- 1011 Mellus St, Martinez
Site 8 Sheriff's Office (MDF)- 1000 Ward St, Martinez
Site 9 Public Works Fleet Yard- 2467 Waterbird Way, Martinez
Site 10 Pittsburg Health Center (PHC) 2311 Loveridge Rd- Pittsburg
Site 11 Sheriff's Office (WCDF)- 555 Giant Rd Highway, Richmond
Site 12 Social Services- 1305 McDonald Ave, Richmond
Site 13 County Administration Parking- 1126 Escobar St, Martinez
Site 14 West County Health Clinic- 13601 San Pablo Ave, San Pablo

APPROVE the criteria documents, including the concept design and specifications, for the above project.

AUTHORIZE the Public Works Director, or designee, to solicit design build proposals to be received on or about April 23, 2026, and issue Request for Proposal (RFP) addenda, as needed, for clarification of RFP documents, provided the changes do not significantly increase the construction cost estimate.

FISCAL IMPACT:
This project was funded by the CEC Grant Funding Opportunity (GFO) 23-606. All installed (EVSE) must meet design requirements and specifications listed in that GFO. The established contract sum (Fixed Project Price), including Design-Build design and construction costs and Owner Allowances, for all sites for base bid is $5,304,875. Of this amount, $3,644,000 (68.69%) California Energy Commission Government Fleet Electric

Vehicle Supply Equipment Projects, (31.31%) Measure X Sustainability Fund.

BACKGROUND:
Contra Costa County is implementing a grant-funded Electric Vehicle (EV) charging program comprising 158 Level 2 and 20 Direct Current Fast-Charging (DCFC) ports. The goal of the project is to serve the County's fleet vehicles, with limited access for other users, such as County employees and city government fleets, authorized on a site-by-site basis.

The County seeks proposals from prequalified firms to design and build the Electric Vehicle Supply Equipment and Infrastructure (Project) at fourteen (14) different County-owned or leased sites, to serve the County's current and future EV Fleet. This project aligns with county goals to achieve carbon neutrality for government operations.

The project's key objectives are:

- Implement critical EV charging infrastructure county wide to support fleet electrification.
- Strategic deployment of direct current fast charging at key sites.
- Implement County standardization for equipment and access to charging to different user groups to support long-term operations and maintenance.
- Possible installation of Battery Energy System integration at selected sites to support emergency services and operations.
- Comply with all California Energy Commission (CEC) grant requirements.

Four potential design-build entities (DBEs) have been selected for the project through a competitive, qualifications-based selection process. On September 10, 2025, the Public Works Department published a Request for Qualifications (RFQ) soliciting Statements of Qualifications (SOQs) from interested DBEs. Thirteen SOQs were received. A selection committee comprised of County staff reviewed, scored and ranked the submittals. The four highest ranking DBEs have been shortlisted. With Board approval, Public Works will invite the shortlisted DBEs to submit proposals for design and construction services to complete the project.

Construction is expected to be completed by Fall of 2027.

CONSEQUENCE OF NEGATIVE ACTION:
Without Board of Supervisors approval, the CEC Government Fleet EVSE Projects will not be built, the $3,644,000 CEC grant opportunity will be lost, and the County’s ability to support its growing electric fleet and achieve its carbon reduction goals will be delayed.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 26-574 **Agenda Date:** 2/10/2026 **Agenda #:** C.68.

To: Board of Supervisors

From: Monica Nino, County Administrator

Report Title: Claims

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

DENY claims filed by CSAA Insurance Group, a subrogee of Filemon Curiel; Mujica Beltran; Joshua Chang; Lauren Flicker; Terri Green; Herc Rentals; Darnice K. Marshall; Justin Russo; and San Ramon Regional Medical Center for Anne Mayfield.

FISCAL IMPACT:

No fiscal impact.

BACKGROUND:

DENY claims filed by CSAA Insurance Group, a subrogee of Filemon Curiel; Mujica Beltran; Joshua Chang; Lauren Flicker; Terri Green; Herc Rentals; Darnice K. Marshall; Justin Russo; and San Ramon Regional Medical Center for Anne Mayfield.

CSAA Ins. Group a subrogee of Filemon Curiel: Subrogation claim for damage to vehicle in the amount of $1,514.27.
Mujica Beltran: Personal injury claim related to trip and fall in an amount to exceed $35,000.
Joshua Chang: Property claim for damage to vehicle in the amount of $780.25.
Lauren Flicker: Property claim for water damage to home in the amount of $40,000.
Terri Green: Personal injury claim for mistreatment in the Martinez Detention Facility in the amount of $15,000.
Herc Rentals: Property claim for damage to message board in the amount of $14,130.98.
Darnice K. Marshall: Civil rights claim for false arrest and imprisonment in the amount of $20,100,000.
Justin Russo: Personal injury claim for mistreatment in the Martinez Detention Facility in an amount to exceed $25,000.
San Ramon Regional Medical Center for Anne Mayfield: Claim for underpayment by the Contra Costa Health Plan in the amount of $7,784.27.

CONSEQUENCE OF NEGATIVE ACTION:

Not acting on the claims could extend the claimants' time limits to file actions against the County.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 26-575 **Agenda Date:** 2/10/2026 **Agenda #:** C.69.

To: Board of Supervisors

From: David O. Livingston, Sheriff-Coroner

Report Title: SADA Systems, Inc.

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Purchasing Agent, or designee, to execute on behalf of the Sheriff-Coroner, a purchase with SADA Systems, Inc., subject to SADA's terms and conditions, in an amount not to exceed $25,000 for the use of a Google Maps Platform for Enterprise for the period October 1, 2025 through September 30, 2028.

FISCAL IMPACT:
Approval of this request will result in up to $25,000 in service expenditures over a 3-year period and will be funded 100% by the General Fund.

BACKGROUND:
The Automated Regional Information Exchange System (ARIES) is a mission-critical, shared records management and information-sharing platform used by participating law enforcement agencies to support public safety operations, investigations, and regulatory compliance. ARIES provides secure access to law enforcement data and system functionality that relies on accurate geographic and location-based information to support operational workflows and situational awareness.

To support these capabilities, ARIES uses the Google Maps Platform Application Programming Interface (API) to display interactive maps and location data within the ARIES application. The Google Maps Platform API enables proper map rendering, address visualization, and location-based features essential to system functionality and user experience.

The Google Maps Platform API is procured through SADA Systems, an authorized Google Cloud reseller, to ensure compliance with licensing requirements, vendor support, and service continuity. Continued access to the Google Maps Platform API is required to maintain existing ARIES mapping functionality and to support ongoing system operations for participating agencies.

The Terms and Conditions include a limitation of liability and indemnification from the County to SADA Systems, Inc.. The department is requesting retroactive approval of this contract, due to internal administrative delays. The contractor has continued to provide services in good faith, and this approval will bring invoices up

to date.

CONSEQUENCE OF NEGATIVE ACTION:
If the Board does not approve, the Sheriff's Office will lose access to Google's secure, scalable infrastructure, including regular updates and performance improvements for the ARIES platform. Without the enterprise API subscription, service reliability and compliance cannot be assured, increasing the risk of disruptions to ARIES features that depend on mapping and location-based services. Such disruptions could affect multiple entities within and outside the County, including other law enforcement agencies and first responders.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 26-576 **Agenda Date:** 2/10/2026 **Agenda #:** C.70.

To: Board of Supervisors

From: David O. Livingston, Sheriff-Coroner

Report Title: Night Flight Concepts, Inc.

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Sheriff-Coroner, or designee, to execute a contract with Night Flight Concepts Inc., in the amount of $100,000 for authorized preventative maintenance, repairs, and support of night vision equipment for the Office of the Sheriff for the period January 1, 2026 through December 31, 2029.

FISCAL IMPACT:
Approval of this request will result in up to $100,000 in contractual service expenditures over a 4-year period and will be funded 100% by the General Fund.

BACKGROUND:
The Contra Costa County Sheriff's Office Air Support Unit operates and maintains eight (8) dual-tube night vision devices manufactured by Night Flight Concepts. These devices are utilized by all assigned aircrew members to safely operate, fly, and navigate Contra Costa County Sheriff's Office helicopters STARR1 and STARR3 during nighttime operations.

This critical equipment enables the Air Support Unit to conduct law enforcement missions during all nighttime hours, ensuring the rapid response capability necessary to support countywide aerial law enforcement requests. To ensure proper performance, reliability, and compliance with manufacturer standards, the night vision devices are required to be returned to the manufacturer every six (6) months for inspection and maintenance.

Routine maintenance of this equipment is essential to enhancing both public and officer safety and ensures continued operational readiness. Properly maintained night vision systems allow the Sheriff's Office to deliver faster, safer, and more effective aerial law enforcement services to the community it serves.

The department is requesting retroactive approval of this contract due to internal administrative delays.

CONSEQUENCE OF NEGATIVE ACTION:
If the board does not approve, the Contra Costa County Sheriff's Office will be unable to properly maintain the mission-critical night vision devices currently in service. Without required manufacturer maintenance, these systems will degrade over time and ultimately become non-operational.

The loss or degradation of night vision capability would significantly increase operational risk and create serious safety concerns for aircrew members and the public during nighttime flight and law enforcement operations.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 26-577 **Agenda Date:** 2/10/2026 **Agenda #:** C.71.

To: Board of Supervisors

From: David O. Livingston, Sheriff-Coroner

Report Title: Trakka USA LLC

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
RESCIND prior Board action 25-5062 on December 9, 2025, which approved and authorized the Sheriff-Coroner, or designee, to execute a contract with Trakka USA LLC, in an amount not to exceed $56,252 for the purchase of two Trakka Stream air to ground video transmission systems for helicopters, STARR1 and STARR3, used by the Office of the Sheriff's Air Support Unit, for the period December 1, 2025 through November 30, 2027; and

APPROVE and AUTHORIZE the Sheriff-Coroner, or designee, to execute a contract with Trakka USA LLC, in an amount not to exceed $80,000 for the purchase of two Trakka Stream air to ground video transmission systems and MissionLink viewing software for helicopters, STARR1 and STARR3, used by the Office of the Sheriff's Air Support Unit, for the period December 1, 2025 through November 30, 2027.

FISCAL IMPACT:
Approval of this request will result in up to $80,000 in contractual service expenditure over a 2-year period and will be funded 100% by the General Fund.

BACKGROUND:
Trakka USA LLC delivers advanced, mission-critical equipment for law enforcement aviation operations. Their air to ground video transmission system, labeled TRAKKA Stream, provides the ability to securely send operational video to ground Trakka USA LLC personnel as well as provide in flight WiFi capability to ensure all public safety personnel receive live video footage of aerial surveillance during critical incidents.

The Contra Costa County Office of the Sheriff needs this equipment on STARR1 and STARR3 in order to send live video footage of helicopter video surveillance to ground personnel. This would ensure law enforcement and fire personnel can receive real-time airborne surveillance, enabling them to make independent critical decisions without relying solely on the airborne crews. This would greatly enhance officer safety and increase the ability for first responders to conduct proper scene management.

On December 9, 2025, the Board approved a purchase order with Trakka USA LLC in an amount not to exceed $56,252, but this action is to correct the amount, as not to exceed $80,000. The General Terms and Conditions

of Sale include a limitation of liability provision.

CONSEQUENCE OF NEGATIVE ACTION:
If the Board does not approve, the Office of the Sheriff will be left without the ability to reliably send real-time air to ground video transmission to law enforcement and fire personnel. This will reduce officer safety and the ability to view live aerial footage, thus reducing the ability to quickly respond to and manage emergencies in ever changing environments. This will directly impact public safety and increase response time to critical incidents where information is needed as quickly as possible to make proper decisions.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 26-578 **Agenda Date:** 2/10/2026 **Agenda #:** C.72.

To: Board of Supervisors

From: David O. Livingston, Sheriff-Coroner

Report Title: Accept the Fiscal Year 2024-2025 Inmate Welfare Fund Expenditure Report

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
ACCEPT the Office of the Sheriff Inmate Welfare Fund (IWF) report, in accordance with Penal Code Section 4025(e), illustrating an accounting of all IWF receipts and disbursements for Fiscal Year 2024/2025.

FISCAL IMPACT:
No fiscal impact.

BACKGROUND:
Penal Code Section 4025(e) states that money and property deposited in the Inmate Welfare Fund shall be expended by the Office of the Sheriff-Coroner primarily for the benefit, education, and welfare of inmates confined within the jail. Any funds not needed for the welfare of inmates may be expended for the maintenance of county jail facilities. Maintenance of county jail facilities may include, but is not limited to, the salary and benefits of personnel used in the programs to benefit the inmates, education, drug and alcohol treatment, welfare, library, accounting, and other programs deemed appropriate by the Sheriff. An itemized report of these expenditures shall be submitted annually to the Board of Supervisors.

This fund received most of its revenues from inmate telephone commissions and commissary sales. The Director of Inmate Services, working with the public members of the Inmate Welfare Committee, manages the delivery of professional services, establishes an annual budget and oversees expenditures for the Sheriff.

The Inmate Welfare Fund continues to provide valuable professional, educational, and recreational services to persons in custody at the Martinez Detention Facility, West County Detention Facility, and the Marsh Creek Detention Facility.

CONSEQUENCE OF NEGATIVE ACTION:
If unapproved, the County will not be in compliance with Penal Code section 4025(e).

Inmate Welfare Fund
Statement of Receipts, Disbursements, and Fund Balance
Fiscal Year Ended June 30, 2025

Receipts:

ViaPath Administrative Allowance	$240,000	
Canteen Commissions	937,564	
WCDF Inmate Industries	28,660	
WCDF Frame Shop	1,750	
Investment Interest	63,445	
Total Receipts		$1,271,419

Disbursements:

General Expenditures

BART/Bus Tickets	30,625 (AB-109 Funded)	
Entertainment (TV, Board Games, Etc.)	37,325(AB-109 Funded)	
AB-109 Sub-Total		$67,950

Education and Welfare

Bay Area Chaplains Contractual Services	$168,333 (AB-109 Funded)	
	76	
Office of Education Contractual Services	228	
	951,405 (AB-109 Funded)	
Arts In Corrections	5,265 (AB-109 Funded)	
Library Program	342,202	
Inmate Legal Services	15,086 (AB-109 Funded)	
MCDF Landscape Program	43,428	
WCDF Frame Shop Program	40,347	
WCDF Inmate Industries	157,144	
Vocational Supplies	36,198 (AB-109 Funded)	
AB-109 Sub-Total		$1,176,287
IWF Sub-Total		$583,425

Other		
Staff Salaries/Benefits/Expenses	254,544	
IWF Sub-Total		$ 254,544
Total Disbursements, IWF & AB109		1,244,237 (AB-109) 837,969 (IWF) $2,082,206
Receipts less Disbursements (IWF Only)		$ 433,450
Cash & Investments		$ 4,146,770
Total		$ 4,580,220

Closing Date 12-31-2025