



EAST CONTRA
COSTA COUNTY
HABITAT
CONSERVANCY

City of Brentwood

City of Clayton

City of Oakley

City of Pittsburg

Contra Costa County

GOVERNING BOARD

REGULAR MEETING

Monday, October 22, 2018

2:00 p.m.

City of Oakley, Council Chambers
3231 Main Street, Oakley, CA 94561

AGENDA

2:00 p.m. Convene meeting.

Adjourn to Closed Session

CS1) Conference with Legal Counsel – Existing Litigation (Gov. Code, § 54956.9(d)(1))

Discovery Builders, Inc. v. City of Brentwood, California; City Council of the City of Brentwood, et al.; Contra Costa County Superior Court, Case No. N13-1781.

Reconvene Open Session.

- 1) Report on any actions taken in Closed Session. Open Session will not start before 2:30 p.m.**
- 2) Introductions.**
- 3) Public Comment on items that are not on the agenda** (public comment on items on the agenda will be taken with each agenda item).
- 4) Consider APPROVING the Meeting Record from the East Contra Costa County Habitat Conservancy (“Conservancy”) Governing Board meeting of August 27, 2018.**
(Abigail Fateman)
- 5) Consider the following actions related to extending take coverage to San Pablo Bay Pipeline Company LLC for the Shell Pipeline North 20 Repair 2018 Project:**
 - a) DIRECT staff to file a CEQA Notice of Exemption for this Board action with the County Clerk;**
 - b) AUTHORIZE staff to execute a Participating Special Entity Agreement with San Pablo Bay Pipeline Company LLC for take coverage for the Shell Pipeline North 20 Repair 2018 Project.**
(Allison Cloney)

- 6) Consider the following actions related to extending take coverage to Phillips 66 Pipeline, LLC for the Phillips 66 Line 200 Anomaly Investigation and Repair, Summer 2017 Project:
- a) **DIRECT** staff to file a CEQA Notice of Exemption for this Board action with the County Clerk for the Project;
 - b) **AUTHORIZE** staff to execute a First Amendment to the Participating Special Entity Agreement with Phillips 66 Pipeline, LLC for take coverage for the Phillips 66 Line 200 Anomaly Investigation and Repair, Summer 2017 Project as further described in Addendum 1.0 to the Planning Survey Report, provided the Wildlife Agencies concur with the First Amendment.
- (Allison Cloney)
- 7) Consider the following actions related to extending take coverage to Phillips 66 Pipeline, LLC for the Phillips 66 Line 200 Anomaly Investigation and Repair, Winter 2018 Project:
- a) **FIND** that on the basis of the whole record before the Conservancy that there is no substantial evidence that the Phillips 66 Line 200 Anomaly Investigation and Repair, Winter 2018 Project and First Amendment as mitigated will have a significant effect on the environment and that the October 2018 Addendum to Initial Study/Mitigated Negative Declaration is adequate for the purpose of compliance with the California Environmental Quality Act (CEQA) and reflects the Conservancy's independent judgement and analysis. **ADOPT** the October 2018 Addendum to Initial Study/Mitigated Negative Declaration prepared for the project;
 - b) **AUTHORIZE** staff to execute a First Amendment to the Participating Special Entity Agreement with Phillips 66 Pipeline, LLC for take coverage for the Phillips 66 Line 200 Anomaly Investigation and Repair, Winter 2018 Project as further described in Addendum 1.0 to the Planning Survey Report, provided the Wildlife Agencies concur with the First Amendment; and
 - c) **DIRECT** staff to file a CEQA Notice of Determination with the County Clerk.
- (Allison Cloney)
- 8) Consider the following actions related to the Viera North Peak property:
- a) **AUTHORIZE** staff to execute a Property Acquisition Agreement with the State of California regarding the donation and grant of the Viera North Peak property.
 - b) **AUTHORIZE** staff to record a conservation easement on the Viera North Peak property with Save Mount Diablo as the conservation easement holder.
- (Joanne Chiu)

Adjourn. The next regular Governing Board meeting is December 3, 2018.

If you have questions about this agenda or desire additional meeting materials, you may contact Maureen Parkes of the Contra Costa County Department of Conservation and Development at 925-674-7203.

The Conservancy will provide reasonable accommodation for persons with disabilities planning to participate in this meeting who contact staff at least 24 hours before the meeting.