

**SUBMITTAL TO THE FLOOD CONTROL AND
WATER CONSERVATION DISTRICT BOARD
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

218 B



FROM: General Manager-Chief Engineer

SUBMITTAL DATE:
March 11, 2008

SUBJECT: Public Hearing for Menifee-Hawthorne Avenue Storm Drain, Stage 1
Project No. 4-0-0163-01

RECOMMENDED MOTION:

Adopt Resolution No. F2008-05 which

finds that the project will not have a significant adverse effect upon the environment and is in compliance with the Western Riverside County Multiple Species Habitat Conservation Plan;

Continued on Page 2.

BACKGROUND:

Continued on Page 2.

JDS:mcv

WARREN D. WILLIAMS
General Manager-Chief Engineer

FINANCIAL DATA	Current F.Y. District Cost:	N/A	In Current Year Budget:	N/A
	Current F.Y. County Cost:	N/A	Budget Adjustment:	N/A
	Annual Net District Cost:	N/A	For Fiscal Year:	N/A

SOURCE OF FUNDS:	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION: N/A

APPROVE

BY:
Alex Gann

County Executive Office Signature

Prev. Agn. Ref.:

District: 3rd

Agenda Number:

11.2

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

FORM APPROVED COUNTY COUNSEL

BY: ~~A. Lind~~ KATHERINE A. LIND 02/14/08 DATE

Departmental Concurrence

- Dept't Recomm.: Consent Policy
- Per Exec. Ofc.: Consent Policy

**FLOOD CONTROL AND WATER CONSERVATION DISTRICT BOARD SUBMITTAL
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

SUBJECT: Public Hearing for Menifee-Hawthorne Avenue Storm Drain, Stage 1
Project No. 4-0-163-01

SUBMITTAL DATE: March 11, 2008

Page 2

RECOMMENDED MOTION (continued):

adopts a Mitigated Negative Declaration;

authorizes the District to proceed with the project;

directs the Clerk of the Board to deliver the Mitigated Negative Declaration and the Notice of Determination to the Office of the County Clerk and Recorder for filing within 5 working days of this Board hearing.

BACKGROUND:

This hearing is in accordance with the requirements of CEQA and Section 18 of the District Act.

2
3 RESOLUTION NO. F2008-05
4 APPROVING THE
5 MENIFEE-HAWTHORNE AVENUE STORM DRAIN, STAGE 1

6 WHEREAS, on January 29, 2008, the Board adopted Resolution No. F2008-04 pursuant to
7 Section 18 of the District Act giving notice of its intention to construct a project in Zone 4, within the
8 unincorporated community of Menifee, designated as the Menifee-Hawthorne Avenue Storm Drain, Stage
9 1 and giving further notice that the project would be considered at a public hearing on March 11, 2008;
10 and

11 WHEREAS, notice of the public hearing was properly made by publication and posting as
12 required by law, and all persons desiring to be heard on the matter were given the opportunity to appear
13 and present testimony, both oral and written; and

14 WHEREAS, all requirements of the California Environmental Quality Act and the District
15 Rules to Implement the Act have been met and the General Manager-Chief Engineer of the District has
16 found that the project will not have a significant effect on the environment and has completed a Mitigated
17 Negative Declaration; now, therefore,

18 BE IT RESOLVED, DETERMINED AND ORDERED by the Board of Supervisors of the
19 Riverside County Flood Control and Water Conservation District in regular session assembled on March
20 11, 2008 based upon the evidence and testimony presented on the matter, both written and oral, that:

21 1. The Project is not within the Criteria Area set forth in and established by the Western
22 Riverside County Multiple Species Habitat Conservation Plan (MSHCP).

23 2. The Project is consistent with the Riparian/Riverine Area and Vernal Pool
24 requirements of the MSHCP. Pursuant to Section 6.1.2 of the MSHCP, Riparian/Riverine areas are lands
25 which contain habitat dominated by trees, shrubs, persistent emergents, or emergent mosses and lichens,
26 which occur close to or which depend upon soil moisture from a nearby fresh water source, or areas with
27 freshwater flow during all or a portion of the year. Vernal Pools are seasonal wetlands that occur in
28 depression areas that have wetlands indicators of all three parameters (soils, vegetation, and hydrology)

1 during the wetter portion of the growing season. It has been determined that although the Project area
2 does not contain any vernal pools, the Project area does include Riparian/Riverine Area as defined by the
3 MSHCP. However, the proposed storm drain alignment established by the Project avoids this
4 Riparian/Riverine Area. In addition, the proposed storm drain alignment does not contain suitable habitat
5 for the least Bell's vireo, Southwestern Willow Flycatcher, Yellow-breasted chat, or Yellow Warbler.
6 Therefore, no further surveys or conservation measures are required.

7 3. The Project is consistent with the Narrow Endemic Plant Species requirements of the
8 MSHCP. Pursuant to Section 6.1.3 of the MSHCP, habitat assessments and/or focused surveys for certain
9 narrow endemic plant species are required for properties within mapped survey areas. The survey area
10 maps have been reviewed and the Project is not within a mapped survey area for Narrow Endemic Plant
11 Species. Therefore, no further surveys or conservation measures are required.

12 4. The Project is consistent with the Urban-Wildlands Interface requirements of the
13 MSHCP. Section 6.1.4 of the MSHCP presents guidelines to minimize indirect effects of projects in
14 proximity to the MSHCP Conservation Area. This section provides mitigation measures for impacts
15 associated with: Drainage, Toxics, Lighting, Noise, Invasives, Barriers and Grading/Land Development.
16 The Project has been reviewed and it has been determined the Project does not occur within or adjacent to
17 the Criteria Area or MSHCP-designated Public/Quasi-Public conservation lands. Therefore, no further
18 analysis or implementation of any conservation measures is required.

19 5. The Project is consistent with the Database Updates/Additional Surveys requirements
20 of the MSHCP. Pursuant to Section 6.3.2 of the MSHCP, habitat assessments and/or focused surveys for
21 certain additional plant and animal species are required for properties within mapped survey areas. The
22 survey area maps have been reviewed and the Project is only within a mapped survey area for the
23 Burrowing Owl. A habitat assessment was conducted for the Project and the project area does contain
24 suitable foraging and dispersing habitat. However, the project area does not contain suitable burrowing
25 owl nesting habitat due to the lack of burrows and no Burrowing Owl was detected. Therefore, prior to
26 site disturbance, a 30-day pre-construction presence/absence survey for burrowing owl will be conducted
27 due to the presence of suitable habitat for this species. Any Burrowing Owl discovered onsite will be
28 passively relocated following accepted protocols.

1 6. The Project is consistent with the Public/Quasi-Public Land provisions contained in
2 Section 3.2.1 of the MSHCP. Section 3.2.1 describes lands within the MSHCP conservation area
3 including those designated as Public/Quasi-Public (P/QP) lands. Section 3.2.1 states that if a Permittee
4 elects to use property currently depicted as P/QP Lands in a way that alters the land use such that it would
5 not contribute to Reserve Assembly, the Permittee shall locate and acquire or otherwise encumber
6 replacement acreage at a minimum ratio of 1:1. The Permittee must make findings that the replacement
7 acreage is biologically equivalent or superior to the existing property. The Project has been reviewed and
8 it has been determined the Project does not occur within MSHCP-designated P/QP conservation lands.
9 Therefore, no further analysis is required.

10 7. The Project designated as the Meniffee-Hawthorne Avenue Storm Drain, Stage 1 is
11 approved and the District is hereby authorized to proceed with the Project.

12 8. The Project will not have a significant effect on the environment and a Mitigated
13 Negative Declaration is adopted.

14 BE IT FURTHER RESOLVED that, within 5 working days of this Board hearing, the Clerk
15 of the Board is directed to deliver the adopted Mitigated Negative Declaration and the Notice of
16 Determination to the Office of the County Clerk and Recorder, who are hereby directed to file same, all as
17 required by law.

18
19 APPROVED AS TO FORM
20 January 17, 2008

21
22 By Katherine A. Lind
23 KATHERINE A. LIND
24 Principal Deputy County Counsel

25
26
27 KAL:mdk
28 01/16/08
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Menifee – Hawthorne Avenue Storm Drain, Stage 1

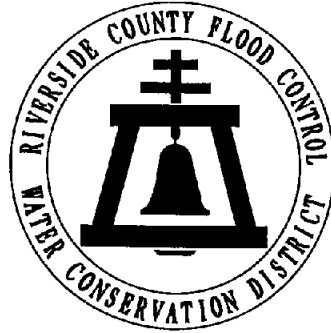
Project No. 4-0-0163

Engineer's Statement

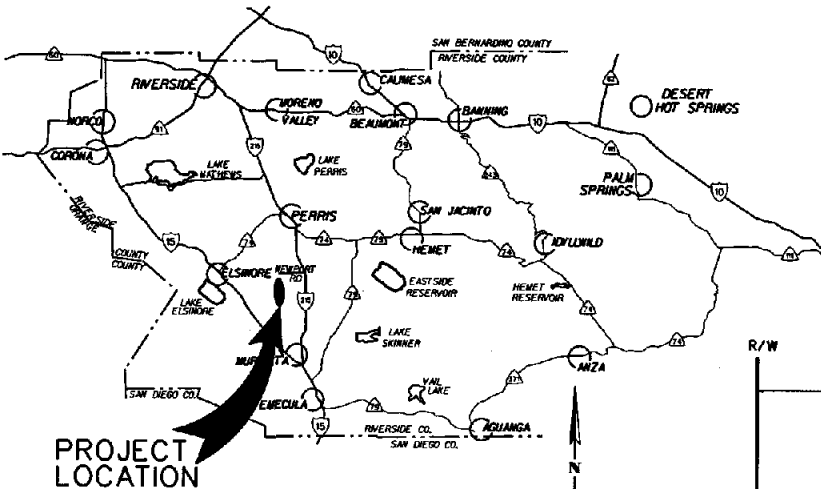
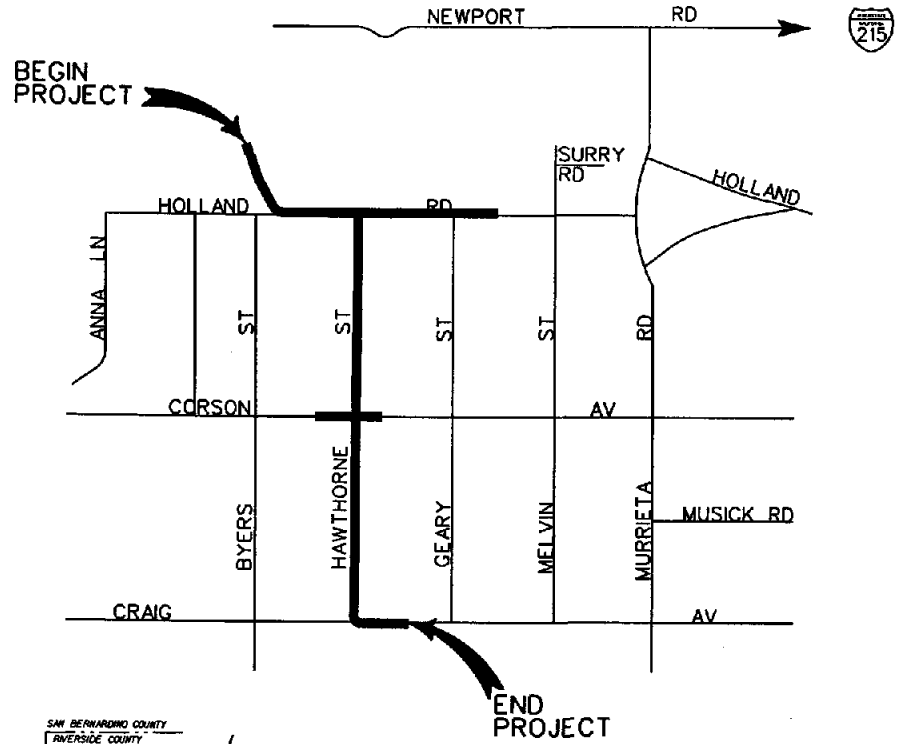
This proposed project is located within the unincorporated community of Menifee, Riverside County, California. The project is an ultimate storm drain system designed to collect runoff from a 400-acre watershed located southerly of Craig Avenue and convey it to the watershed located at the northeasterly corner of Holland Road and Byers Street. When complete, this storm drain will provide 100-year flood protection.

The main line of the proposed project consists of approximately 3,840 lineal feet of reinforced concrete pipe (RCP) ranging in diameter from 66 to 78 inches. The laterals consist of approximately 1,290 lineal feet of RCP ranging in diameter from 18 to 24 inches. From the outlet, the main line extends east in Holland Road, south in Hawthorne Street and ends approximately 300 feet east in Craig Avenue. One lateral will connect to the main line at the intersection of Holland Road and Hawthorne Street and will extend approximately 900 feet east in Holland Road. In addition, two laterals will connect to the main line at the intersection of Corson Avenue and Hawthorne Street, with one lateral extending east approximately 150 feet and one lateral extending west approximately 240 feet. The cost of the proposed project is approximately \$2,500,000.

SECTION 18
PUBLIC HEARING
MAP



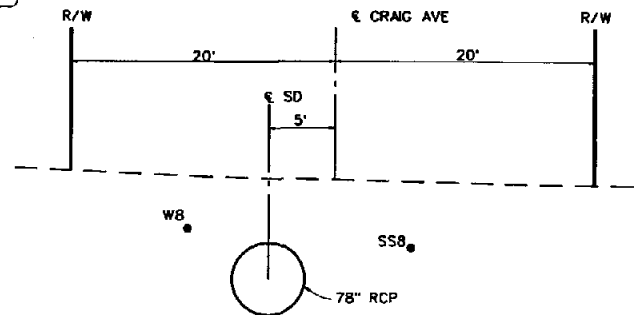
MENIFEE-HAWTHORNE
STORM DRAIN
STAGE 1
PROJECT NO. 4-0-0163-01
JUNE 2007



PROJECT LOCATION

VICINITY MAP
NTS

LOCATION MAP
NTS



TYPICAL SECTION

Notice of Determination

To: Office of Planning and Research

For U.S. Mail:
P.O. Box 3044
Sacramento, CA 95812-3044

Street Address:
1400 Tenth Street
Sacramento, CA 95814

From: Riverside County Flood Control
1995 Market Street
Riverside, CA 92501
Contact: Teresa Tung
Phone: 951.955.1233

Lead Agency (if different from above):

County Clerk
County of Riverside
2724 Gateway Drive
Riverside, CA 92507

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): None

Project Title:

Menifee-Hawthorne Avenue Storm Drain, Stage 1

Project Location (include county)

The proposed project is located within the unincorporated Menifee community of Riverside County and is generally bounded by Craig Avenue to the south, Geary Street to the east, Byers Street to the west and Newport Road to the north (please refer to the vicinity map). The proposed project may be found within Township 6 South, Range 3 West, Sections 5 and 8 of the Romoland, California 7.5 Minute USGS Quad Sheet.

Project Description

The proposed project consists of constructing and maintaining approximately 5,130 lineal feet of an underground storm drain system.

This is to advise that the Riverside County Flood Control and Water Conservation District has approved the above described
(Lead Agency or Responsible Agency)

project on March 11, 2008 and has made the following determinations regarding the above described project:
(Date)

1. The project will not have a significant effect on the environment.
2. A Mitigated Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures were made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan was adopted for this project.
5. A statement of Overriding Considerations was not adopted for this project.
6. Findings 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: The Office of the Clerk to the Board, County Administrative Center, 4080 Lemon Street, Riverside, CA 92501

Signature (Public Agency)

Title

Date

Date received for filing at OPR:

Revised 2004

Authority cited: Sections 21083 and 21087, Public Resources Code.
Reference: Sections 21000-21174, Public Resources Code.

P8\116501

CERTIFICATE OF POSTING

(Original copy, duly executed, must be attached to the original document at the time of filing)

I, PAT MALONE, do hereby certify that I am not a
(Print Name)

party to the within action or proceeding; that on 2/6/08,
(Date)

pursuant to Government Code §25528, I posted a **certified copy** of **RESOLUTION NO. F2008 – 04** a resolution of the Riverside County Flood Control and Water conservation District regarding the **SETTING A PUBLIC HEARING DATE FOR THE MENIFEE-HAWTHORNE AVENUE STORM DRAIN, STAGE 1 AND GIVING NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION THEREFOR IN ACCORDANCE WITH SECTION 18 OF THE DISTRICT ACT AND THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)** at the following location: Canyon Lake Branch Library, 31516 Railroad Canyon Road, Canyon Lake, California 92587 for a period of at least **30 days prior to the hearing** beginning on 2/6/08 and ending on 3/7/08
(Date) (Date)

Board Date and Time: March 11, 2008 at 1:30 p.m.

SIGNATURE: P. Malone -DATE: 2/6/08