

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

738 B



**FROM:** General Manager-Chief Engineer

**SUBMITTAL DATE:**

May 18, 2010

**SUBJECT:** Public Hearing for Day Creek Channel, Stage 6 Phase 2 Project  
Project No. 1-0-00250-06

**RECOMMENDED MOTION:**

Adopt Resolution No. F2010-09 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; and

adopts a Mitigated Negative Declaration and Monitoring Program Table; and

authorizes the District to proceed with the project.

**BACKGROUND:**

See Page 2.

RS:mcv

*Steve Thomas*  
for **WARREN D. WILLIAMS**  
General Manager-Chief Engineer

Steve Thomas

<b>FINANCIAL DATA</b>	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:** N/A

**Positions To Be  
Deleted Per A-30**

☐

**Requires 4/5 Vote**

☐

**C.E.O. RECOMMENDATION:**

**APPROVE**

BY: *Alex Gann*  
Alex Gann

**County Executive Office Signature**

Dep't Recomm.: ☐ Policy ☐ Policy  
Per Exec. Ofc.: ☐ Consent ☒ Consent

**Prev. Agn. Ref.:**

**District:** 2<sup>nd</sup>

**Agenda Number:**

ATTACHMENTS FILED  
WITH THE CLERK OF THE BOARD

**11.6**

FURNISH APPROVED COUNTY COUNSEL  
 BY: *Larisa R-Mckenna* 3/23/10  
 DATE: *3/23/10*  
 LARISA R-MCKENNA

Departmental Concurrence

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

**SUBJECT:** Public Hearing for Day Creek Channel, Stage 6 Phase 2 Project  
Project No. 1-0-00250-06

**SUBMITTAL DATE:** May 18, 2010

**Page 2**

**BACKGROUND:**

This hearing is in accordance with the requirements of California Environmental Quality Act (CEQA) and Section 18 of the District Act.

BOARD OF SUPERVISORSRIVERSIDE COUNTY FLOOD CONTROL  
AND WATER CONSERVATION DISTRICT

RESOLUTION NO. F2010-09  
APPROVING THE  
DAY CREEK CHANNEL, STAGE 6 PHASE 2 PROJECT

WHEREAS, on April 6, 2010, the Board adopted Resolution No. F2010-08 pursuant to Section 18 of the District Act giving notice of its intention to adopt a Mitigated Negative Declaration (MND) and approve the Day Creek Channel, Stage 6 Phase 2 Project in Zone 2, within the unincorporated Mira Loma area of Riverside County, and giving further notice that the project and MND would be considered at a public hearing on May 18, 2010; and

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

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

BE IT RESOLVED, DETERMINED AND ORDERED by the Board of Supervisors of the Riverside County Flood Control and Water Conservation District in regular session assembled on May 18, 2010 based upon the evidence and testimony presented on the matter, both written and oral, that:

1. The Project is partially within the Criteria Area set forth in and established by the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) and is specifically within Subunit SU1 (Santa Ana River North) of the Jurupa Area Plan and Cell No. 610.
2. The Project has been reviewed and analyzed and it has been determined by District staff that the Project is consistent with the Criteria for Cell No. 610. Pursuant to this review and analysis, it was concluded that the Project lies

FOR APPROVED COUNTY COUNSEL  
 BY *[Signature]* 3/23/10  
 LARISA R-MCKENNA DATE

1 within the northwest portion of Cell No. 610. Additionally, it was determined  
2 that the Project is not within any area described as necessary for inclusion in the  
3 MSHCP Conservation Area. See Joint Project Review # 08-04-01-01, dated  
4 June 2, 2009 for the Project.

5 3. The Project has been submitted to and reviewed by the Western Riverside  
6 County Regional Conservation Authority (RCA) pursuant to the Joint Project  
7 Review (JPR) process. Pursuant to a Criteria Consistency Review letter  
8 received from the RCA dated June 2, 2009, it was determined that the Project is  
9 consistent with both the Criteria and other MSHCP requirements. See Joint  
10 Project Review # 08-04-01-01, dated June 2, 2009 for the Project.

11 4. The Project is consistent with the Riparian/Riverine Area and Vernal Pools  
12 requirements of the MSHCP. Pursuant to Section 6.1.2 of the MSHCP, an  
13 assessment of the potentially significant effects on Riparian/Riverine Areas and  
14 Vernal Pools which includes identification and mapping of such areas located  
15 within the Project boundaries is required. It has been determined that although  
16 the Project area does not contain any vernal pools, the Project area does include  
17 Riparian/Riverine Areas as defined by the MSHCP which have been mapped.  
18 However, it has also been determined that the Project area does not contain  
19 suitable habitat for least Bell's vireo, Southwestern Willow Flycatcher, Western  
20 Yellow-billed cuckoo, Riverside fairy shrimp, Santa Rosa Plateau fairy shrimp,  
21 or the vernal pool fairy shrimp. See Joint Project Review # 08-04-01-01, dated  
22 June, 2 2009 and Biological Resources Report prepared by Dudek, dated March  
23 2006 for the Project. Pursuant to Section 6.1.2, a Determination of Biologically  
24 Equivalent or Superior Preservation (DBESP) analysis of unavoidable impacts  
25 to Riparian/Riverine Areas has been completed and it has been determined by  
26 District staff that the Project, with its design features and proposed  
27 compensatory measures, is biologically equivalent or superior to that under an  
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1 avoidance alternative without these measures. A copy of the DBESP analysis  
2 was sent on October 7, 2009 to the U.S. Fish and Wildlife Service and the  
3 California Department of Fish and Game for a 60-day review/response period.  
4 No comment was received from the U.S. Fish and Wildlife Service and the  
5 California Department of Fish and Game. See DBESP Analysis, dated October  
6 2009 for the Project.

7 5. The Project is consistent with the Narrow Endemic Plant Species requirements  
8 of the MSHCP. Pursuant to Section 6.1.3 of the MSHCP, habitat assessments  
9 and/or focused surveys for certain narrow endemic plant species are required  
10 for properties within mapped survey areas. The survey area maps included  
11 within the MSHCP have been reviewed and the Project is partially located  
12 within the survey areas for San Diego ambrosia, Brand's phacelia, and San  
13 Miguel savory. A habitat assessment was conducted and it was determined that  
14 suitable habitat for the above plant species does not occur on the Project site.  
15 Therefore, no further assessments and/or surveys or conservation measures are  
16 required. See Joint Project Review # 08-04-01-01, dated June 2, 2009 and  
17 Biological Resources Report prepared by Dudek, dated March 2006 for the  
18 Project.

19  
20 6. The Project is consistent with the Urban/Wildlands Interface Guidelines  
21 established by the MSHCP. Pursuant to Section 6.1.4 of the MSHCP, projects  
22 in close proximity to the MSHCP Conservation Area are required to  
23 incorporate mechanisms to address indirect effects to the MSHCP Conservation  
24 Area. A portion of this Project is adjacent to the MSHCP Conservation Area,  
25 and the Project has been designed to address the guidelines set forth in Section  
26 6.1.4. The Project has incorporated certain design features and measures to  
27 ensure compliance with Section 6.1.4 of the MSHCP. See Joint Project Review  
28

1 # 08-04-01-01, dated June 2, 2009 and the DBESP Analysis dated October  
2 2009 for the Project.

3 7. The Project is consistent with the Database Updates/Additional surveys  
4 requirements of the MSHCP. Pursuant to Section 6.3.2 of the MSHCP, habitat  
5 assessments and/or focused surveys for certain additional plant and animal  
6 species are required for properties within mapped survey areas. The survey  
7 area maps have been reviewed and the Project is partially within mapped  
8 survey area for the Burrowing Owl. Habitat assessments and focused surveys  
9 were conducted for the Burrowing Owl pursuant to accepted protocol as  
10 indicated in the Survey Report on Burrowing Owl prepared by Dudek for the  
11 Project, dated May 27, 2008. The focused surveys conducted on the Project  
12 site concluded that there is not suitable Burrowing Owl habitat on the Project  
13 site. Therefore, no further surveys or conservation measures are required.

14 8. The Project is consistent with the Guidelines for Facilities Within the Criteria  
15 Area and Public/Quasi-Public Lands. Specifically, the Project shall implement  
16 the construction guidelines set forth in Section 7.5.3 of the MSHCP and the  
17 standard best management practices set forth in Appendix C of the MSHCP,  
18 where applicable.

19 9. There is no substantial evidence in light of the whole record that the project,  
20 with mitigation, may have a significant effect on the environment, and the  
21 Mitigated Negative Declaration represents the independent judgment of the  
22 agency.

23 10. The Mitigated Negative Declaration and the Monitoring Program Table are  
24 hereby adopted.

25 11. The project designated as Day Creek Channel, Stage 6 Phase 2 Project is  
26 approved and the District is hereby authorized to proceed with the project.  
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1 BE IT FURTHER RESOLVED that, within five (5) working days of this Board hearing,  
2 the Clerk of the Board is directed to deliver the adopted Mitigated Negative Declaration and the Notice  
3 of Determination to the Office of the County Clerk and Recorder and to the State Office of Planning and  
4 Research, who are thereby directed to file same, all as required by law.

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**Riverside County Flood Control  
and Water Conservation District**

**ENGINEER'S STATEMENT**

**Day Creek Channel, Stage 6 Phase 2  
Project No. 1-0-00250  
March 2010**

The proposed Day Creek Channel, Stage 6 Phase 2 project will consist of the construction and maintenance of a rock-lined trapezoidal and concrete-lined rectangular flood control channel extension from approximately the Goose Creek Golf Club to the Phase 1 channel just downstream of Limonite Avenue. The rock-lined trapezoidal channel will be constructed in an existing channel located within the Goose Creek Golf Club and will be approximately 80 feet wide and 1,155 feet long. The concrete-lined rectangular channel will extend approximately 2,650 lineal feet upstream (northerly) of Lucretia Avenue and connect to the existing Day Creek Channel near Limonite Avenue. The rectangular channel will be constructed within existing District right of way and will be 40 feet wide and vary in height from 12 to 13 feet with 15-foot wide access roads on each side of the channel. Any existing side drainage facilities that connect to the existing channel would be reconstructed as well, and a new bridge will be constructed at Lucretia Avenue. The proposed project is located along the existing Day Creek Channel within the unincorporated Mira Loma area of Riverside County. The project area is generally bounded by Limonite Avenue to the north, 68<sup>th</sup> Street to the south, Charles Avenue to the east, and Dana Avenue to the west.

The estimated cost of the proposed project is \$6 Million. Construction and future operation and maintenance costs will be borne by the District's Zone 1 revenue.

A map of the project depicting the project location and typical section is attached. Additional information may be obtained from Riverside County Flood Control and Water Conservation District, 1995 Market Street, Riverside, California 92501, 951.955.1200.

Attachment

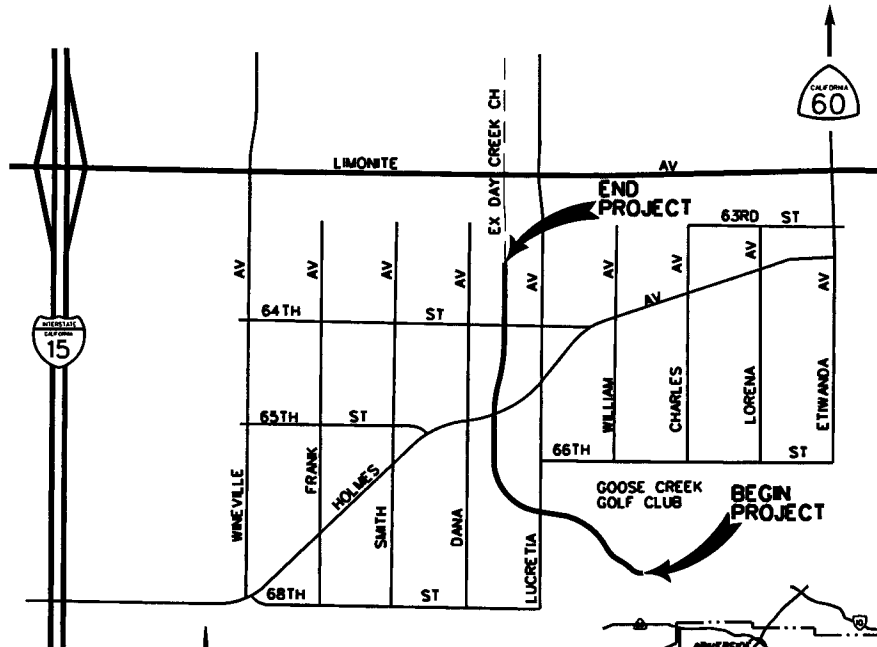
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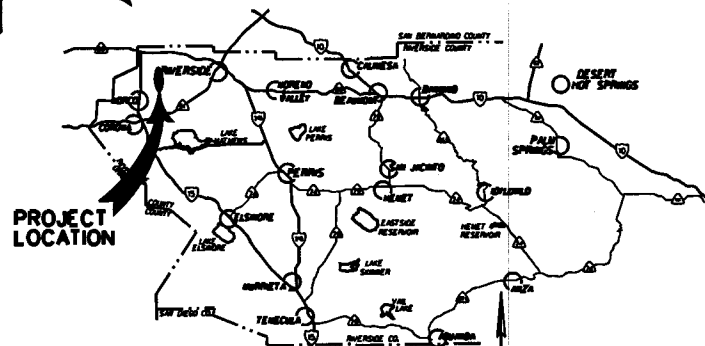
SECTION 18  
PUBLIC HEARING  
MAP



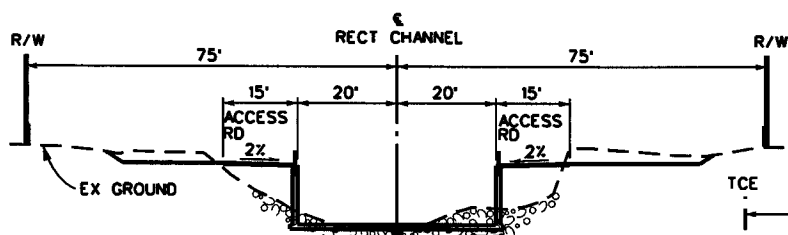
DAY CREEK CHANNEL  
STAGE 6 PHASE 2  
PROJECT NO.1-0-0250  
DECEMBER 2009



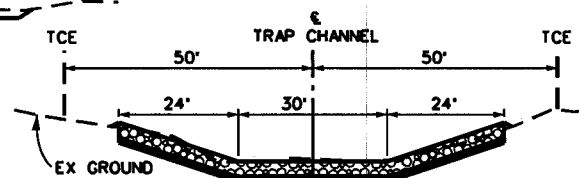
**LOCATION MAP**  
NTS



**VICINITY MAP**  
NTS



**TYPICAL CONCRETE LINED  
CHANNEL SECTION**



**TYPICAL ROCK LINED  
CHANNEL SECTION**

**Notice of Determination****Appendix D**

To: Office of Planning and Research

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

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

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):

**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): 2010031108**Project Title:**

Day Creek Channel, Stage 6 Phase 2

**Project Location (include county)**

The proposed project is located along the existing Day Creek Channel within the unincorporated Mira Loma area of Riverside County. The project area is generally bounded by Limonite Avenue to the north, the Santa Ana River to the south, Charles Avenue to the east, and Dana Avenue to the west. USGS "Corona North, California" 7.5 Topographic Quadrangle: Township 2 South, Range 6 West, Section 29.

**Project Description**

The proposed project entails the construction and subsequent maintenance of a channel extension consisting of combination of rock-lined and concrete-lined channel within approximately 3,800 lineal feet of existing earthen channel. The proposed project consists of approximately 2,700 lineal feet of concrete-lined rectangular channel and approximately 1,100 lineal feet of ungrouted rock-lined trapezoidal channel that would end within the existing golf course channel.

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 May 18, 2010 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 monitoring program table 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 Mitigated Negative Declaration, is available to the General Public at: 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**