

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

8178



FROM: General Manager-Chief Engineer

SUBMITTAL DATE:
November 15, 2011

SUBJECT: Day Creek Master Drainage Plan Line J, Stage 2
Project No. 2-0-00272-02

RECOMMENDED MOTION:

1. Adopt Resolution No. F2011-26 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
2. Adopt a Mitigated Negative Declaration for the project based on the findings incorporated in the initial study and the conclusion that the project will not have a significant effect on the environment; and
3. Approve the Project Final Design and authorize the District to proceed therewith; and
4. Direct the Clerk of the Board to deliver the Mitigated Negative Declaration and the Notice of Determination to the office of the County Clerk and the State Office of Planning and Research for filing within five (5) working days of this Board meeting.

BACKGROUND:

See Page 2.

FINANCIAL:

N/A

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: N/A

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

C.E.O. RECOMMENDATION:

APPROVE

BY:
Michael R. Shetler

County Executive Office Signature

FORM APPROVED COUNTY COUNSEL
BY:
MICHELLE CLACK
DATE: 10/31/11

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

Prev. Agn. Ref.:

District: 2nd

Agenda Number:

11.2

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

SUBJECT: Day Creek Master Drainage Plan Line J, Stage 2
Project No. 2-0-00272-02

SUBMITTAL DATE: November 15, 2011

Page 2

BACKGROUND:

The Day Creek Master Drainage Plan Line J, Stage 2 project was identified in the Day Creek Master Drainage Plan Revision No. 2 which was approved at a public hearing on April 14, 1998 in accordance with the requirements of CEQA and Section 18 of the District Act.

The proposed project is a plan to develop the Stage 2 portion of the Day Creek Master Drainage Plan Line J storm drain facility. The project consists of facility construction, and subsequent operation and maintenance. The downstream end of Line J, Stage 2 will connect to an existing 6-foot high by 12-foot wide Reinforced Concrete Box (RCB) culvert that crosses underneath 68th Street near the northeast corner of the intersection of 68th Street and the I-15. From the connection at 68th Street, Line J extends northerly as a 6-foot high by 12-foot wide RCB for approximately 1,930 lineal feet where it connects to an existing upstream portion of Line J on the westerly side of Pats Ranch Road. Line J, Stage 2 will be a closed conduit constructed mostly below the earth's surface and will be completely confined.

Currently, Line J is constructed from the Bellegrave Basin, at the southwest corner of Bellegrave Avenue and Wineville Avenue, and continues southerly to the Limonite Avenue/Pats Ranch Road intersection. From this intersection, Line J runs within Pats Ranch Road discharging on the western side of the road directly across from Limonite Meadows Park.

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

BOARD OF SUPERVISORS

**RESOLUTION NO. F2011-26
ADOPTING A MITIGATED NEGATIVE DECLARATION AND
APPROVING THE PROJECT FINAL DESIGN OF THE
DAY CREEK MASTER DRAINAGE PLAN LINE J, STAGE 2 PROJECT**

WHEREAS, the Day Creek Master Drainage Plan Line J, Stage 2 Project (hereinafter referred to as the "Project") is located in Zone 2 within the city of Jurupa Valley; and

WHEREAS, the proposed Project site is located near the intersection of the Interstate 15 Freeway and 68th Street; and

WHEREAS, the proposed Project involves the construction and subsequent operation and maintenance of a six-foot high by twelve-foot wide Reinforced Concrete Box (RCB) culvert that has a total system length of 1,930 lineal feet. The facility was identified in the Day Creek Master Drainage Plan, Revision No. 2, and will provide flood protection for the local area.

WHEREAS, a Section 18 Hearing was held on April 14, 1998 to adopt the Day Creek Master Drainage Plan Revision No. 2, in which the Day Creek Master Drainage Plan Line J, Stage 2 is a component; 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;

WHEREAS, the Initial Study/Mitigated Negative Declaration thoroughly addresses the environmental effects of implementing the Project, including the construction, operation, and maintenance of the various improvements identified therein; and

WHEREAS, the Project Final Design is set forth in the Design Drawings of the proposed Project, on file with the Clerk of the Board of Supervisors; and

WHEREAS, the matter was discussed fully with testimony and documentation presented by the public and affected government agencies.

FORM APPROVED COUNTY COUNSEL
BY:  10/13/11
MICHELLE CLACK DATE

1 NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by the
2 Board of Supervisors of the Riverside County Flood Control and Water Conservation District
3 in regular session assembled on November 15, 2011 that:

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

6 2. The Project is consistent with the Riparian/Riverine Area and Vernal Pool
7 requirements of the MSHCP. Pursuant to Section 6.1.2 of the MSHCP, Riparian/Riverine areas
8 are lands which contain habitat dominated by trees, shrubs, persistent emergents, or emergent
9 mosses and lichens, which occur close to or which depend upon soil moisture from a nearby
10 fresh water source, or areas with freshwater flow during all or a portion of the year. Vernal
11 Pools are seasonal wetlands that occur in depression areas that have wetlands indicators of all
12 three parameters (soils, vegetation, and hydrology) during the wetter portion of the growing
13 season. It has been determined that the Project area does not contain any vernal pools, nor does
14 it include Riparian/Riverine Areas as defined by the MSHCP. In addition, the proposed storm
15 drain alignment does not contain suitable habitat for the least Bell's vireo, southwestern willow
16 flycatcher or western yellow-billed cuckoo. Therefore, no further surveys or conservation
17 measures are required.

18 3. The Project is consistent with the Narrow Endemic Plant Species requirements of
19 the MSHCP. Pursuant to Section 6.1.3 of the MSHCP, habitat assessments and/or focused
20 surveys for certain narrow endemic plant species are required for properties within mapped
21 survey areas. The survey area maps have been reviewed and the Project is located within the
22 Narrow Endemic Plant Species Survey Area (NEPSSA), Group 7. Pursuant to Section 6.1.3 of
23 the MSHCP, habitat assessments and/or focused surveys for certain Narrow Endemic Plant
24 Species were conducted. According to the results of the habitat assessments and/or focused
25 surveys, no Narrow Endemic Plant Species nor suitable habitat to support these species were
26 observed during the focused plant surveys. Therefore, no further surveys or conservation
27 measures are required.

28

1 4. The Project is consistent with the Urban/Wildlands Interface requirements of the
2 MSHCP. Section 6.1.4 of the MSHCP presents guidelines to minimize indirect effects of
3 projects in proximity to the MSHCP Conservation Area. This section provides mitigation
4 measures for impacts associated with: Drainage, Toxics, Lighting, Noise, Invasives, Barriers,
5 and Grading/Land Development. The Project has been reviewed and it has been determined the
6 Project is not located in proximity to the MSHCP Conservation Area. As a storm drain system,
7 the proposed Project will not conflict with the Guidelines Pertaining to Urban/Wildlands
8 Interface. Therefore, no further analysis or implementation of any conservation measures is
9 required.

10 5. The Project is consistent with the Database Updates/Additional Surveys
11 requirements of the MSHCP. Pursuant to Section 6.3.2 of the MSHCP, habitat assessments
12 and/or focused surveys for certain additional plant and animal species are required for
13 properties within mapped survey areas. The survey area maps have been reviewed and the
14 Project is only within a mapped survey area for the Burrowing Owl. A habitat assessment was
15 conducted for the Burrowing Owl pursuant to accepted protocol during October 2009 and a
16 focused survey was conducted during March 2010. No Burrowing Owls or Burrowing Owl
17 sign were observed within the surveyed area in 2009 or 2010. In accordance with the MSHCP,
18 a pre-construction survey for Burrowing Owls will be conducted within 30 days prior to
19 disturbance of the property for construction purposes. The Project satisfies the plant, mammal,
20 amphibian, and bird Additional Survey Needs and Procedures requirements of the MSHCP.

21 6. The Project is consistent with the Public/Quasi-Public (P/QP) Land provisions
22 contained in Section 3.2.1 of the MSHCP. Section 3.2.1 describes lands within the MSHCP
23 conservation area including those designated as P/QP Lands. Section 3.2.1 states that if a
24 Permittee elects to use property currently depicted as P/QP Lands in a way that alters the land
25 use such that it would not contribute to Reserve Assembly, the Permittee shall locate and
26 acquire or otherwise encumber replacement acreage at a minimum ration of 1:1. The Permittee
27 must make findings that the replacement acreage is biologically equivalent or superior to the
28

1 existing property. The Project has been reviewed and it has been determined that the Project
2 does not occur within MSHCP-designated P/QP Conservation Lands. Therefore, no further
3 analysis is required.

4 7. There is no substantial evidence in light of the whole record that the Project, with
5 mitigation, may have a significant effect upon the environment and the Mitigated Negative
6 Declaration represents the independent judgment of the District.

7 8. A Mitigated Negative Declaration is adopted based on the findings incorporated in
8 the initial study and the conclusion that the Project will not have a significant effect on the
9 environment.

10 9. The Project Final Design is approved and the District is hereby authorized to
11 proceed with the Project.

12 BE IT FURTHER RESOLVED that, within five (5) working days of this Board
13 meeting, the Clerk of the Board is directed to deliver the adopted Mitigated Negative
14 Declaration and the Notice of Determination to the Office of the County Clerk and Recorder,
15 who are thereby directed to file same, and the Clerk of the Board is further directed to deliver
16 the Notice of Determination to the State Office of Planning and Research, all as required by
17 law.

18
19
20
21
22
23
24
25
26
27
28