

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

308B



FROM: General Manager-Chief Engineer

SUBMITTAL DATE:
April 10, 2012

SUBJECT: Public Hearing for Orange Street Lateral, Stage 1
Project No. 3-0-00012
District One/District One

RECOMMENDED MOTION:

1. Adopt Resolution No. F2012-02 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 and Authorize the District to proceed with the Project; 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 for filing within 5 working days of this Board hearing.

BACKGROUND:

The public hearing is in accordance with the requirements for Section 18 of the District Act.

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: 4/10/12

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

Prev. Agn. Ref.: 11.1 of 2/28/12 | District: 1/1 | Agenda Number:

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

11.1

BOARD OF SUPERVISORS RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

RESOLUTION NO. F2012-02
APPROVING ORANGE STREET LATERAL, STAGE 1 PROJECT

WHEREAS, on February 28, 2012, the Board adopted Resolution No. F2012-01 pursuant to Section 18 of the District Act giving notice of its intention to construct a project in Zone 3, within unincorporated Riverside County, designated as Orange Street Lateral, Stage 1 Project ("Project") and giving further notice that the Project would be considered at a public hearing on April 10, 2012; 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 provisions 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, FOUND, DETERMINED AND ORDERED by the Board of Supervisors of the Riverside County Flood Control and Water Conservation District in regular session assembled on April 10, 2012 based upon the evidence and testimony presented on the matter, both written and oral, that:

1. The Project is not within the Criteria Area set forth in and established by the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP).
2. The Project is consistent with the Riparian/Riverine Area and Vernal Pool requirements of the MSHCP. Pursuant to Section 6.1.2 of the MSHCP, Riparian/Riverine areas are lands which contain habitat dominated by trees, shrubs, persistent emergents, or emergent mosses and lichens, which occur close to or which depend upon soil moisture from a nearby freshwater source, or areas with freshwater flow during all or a portion of the year. Vernal Pools

FORM APPROVED COUNTY COUNSEL
BY:  DATE 2/22/12
MICHELLE CLACK

1 are seasonal wetlands that occur in depression areas that have wetland indicators of all three
2 parameters (soils, vegetation and hydrology) during the wetter portion of the growing season. It
3 has been determined that the Project area does not contain any Vernal Pools, nor does it include
4 Riparian/Riverine Areas as defined by the MSHCP. In addition, the proposed storm drain
5 alignment does not contain suitable habitat for least Bell's vireo, Southwestern Willow
6 Flycatcher or Western Yellow-Billed Cuckoo. Therefore, no further surveys or conservation
7 measures are required.

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

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

23 5. The Project is consistent with the Database Updates/Additional Surveys
24 requirements of the MSHCP. Pursuant to Section 6.3.2 of the MSHCP, habitat assessments
25 and/or focused surveys for certain additional plant and animal species are required for properties
26 within mapped survey areas. The survey area maps have been reviewed and the Project is not
27 within a mapped survey area. Therefore, no further surveys or conservation measures are
28 required.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

7. The Project will not have a significant adverse effect upon the environment and a Mitigated Negative Declaration is adopted based on the findings incorporated in the initial study.

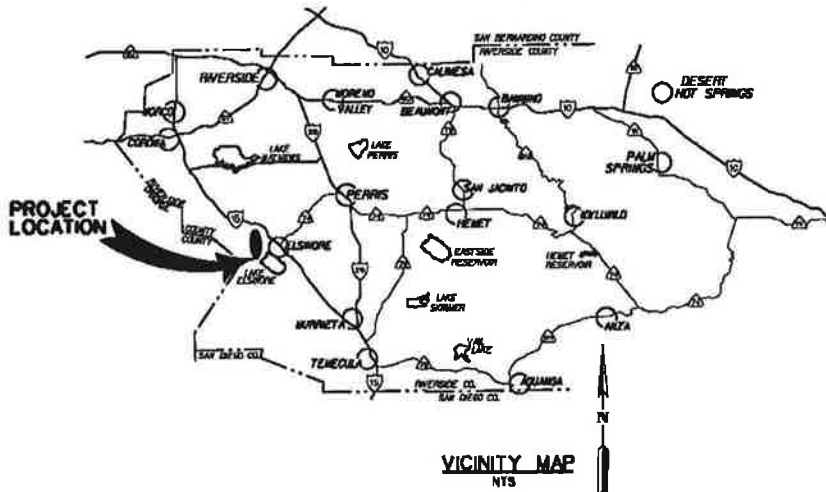
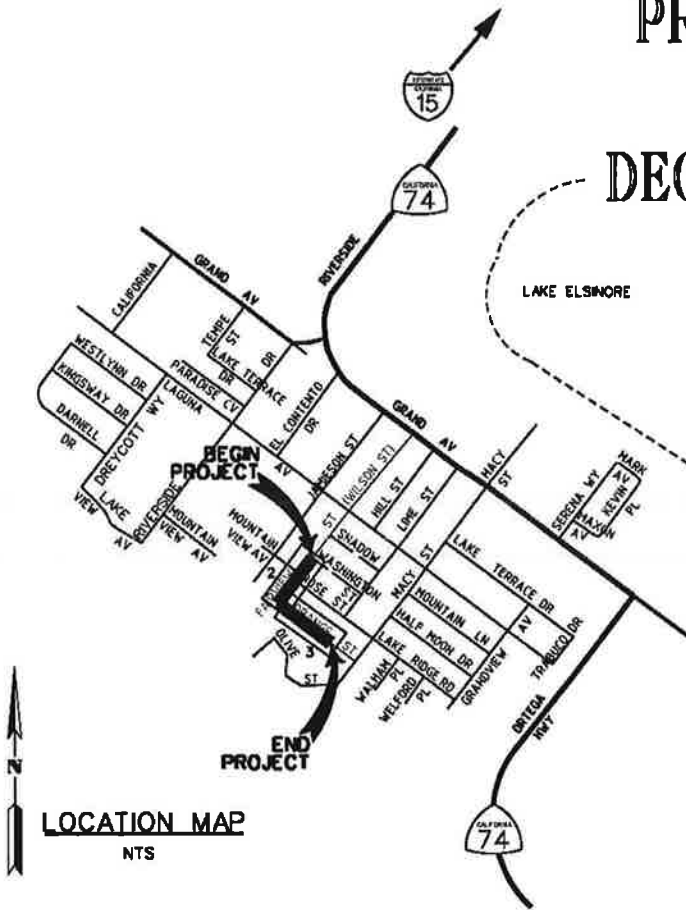
8. The Project is approved and the District is hereby authorized to proceed with the Project.

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

SECTION 18 PUBLIC HEARING MAP



ORANGE STREET LATERAL STAGE 1 PROJECT NO. 3-0-0012 DECEMBER 2011



**Orange Street Lateral, Stage 1
Project No. 3-0-00012**

Engineer's Statement

The proposed project is located within unincorporated Riverside County, California, near the city of Lake Elsinore. The proposed project is a storm drain system designed to collect runoff tributary to Orange Street and discharge the flows to the Lime Street Channel. When complete, this storm drain system will provide protection for residential properties along Orange Street and neighboring areas.

The proposed project consists of approximately 700 lineal feet of reinforced concrete storm drain pipe (RCP) that will connect to the District's existing concrete lined trapezoidal Lime Street Channel. The proposed project begins at the Lime Street Channel and terminates approximately 350 feet southeasterly of the intersection of Fairview Street and Orange Street. A water quality feature is also proposed to be constructed to collect sediment and debris prior to entering the storm drain system. The proposed project area may be found within Township 6 South, Range 5 West, Section 10 of the Alberhill 7.5 Series USGS Topographic Quadrangle map. The cost of the proposed project is approximately \$349,000.