



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

603B

**FROM:** General Manager-Chief Engineer

**SUBMITTAL DATE:**  
November 27, 2012

**SUBJECT:** Public Hearing for Pyrite Channel Bypass, Stage 1  
Project No. 1-0-00109-01  
District 2/District 2

**RECOMMENDED MOTION:**

1. Adopt Resolution No. F2012-22 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 and the State Office of Planning and Research for filing within five (5) working days of this Board hearing.

**BACKGROUND:**

See Page 2.

**FINANCIAL:**

N/A

**WARREN D. WILLIAMS**  
General Manager-Chief Engineer

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

**SOURCE OF FUNDS:** N/A

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

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

APPROVE

BY:   
Michael R. Shetler

**County Executive Office Signature**

FORM APPROVED COUNTY COUNSEL  
BY:   
MICHELLE CLACK  
DATE: 9/5/12

Policy  
 Policy  
 Consent  
 Consent  
 Dept'l Recomm.:  
 Per Exec. Ofc.:

**Prev. Agn. Ref.:** 11.1 of 9/25/12 | **District:** 2<sup>nd</sup>/2<sup>nd</sup> | **Agenda Number:**

11.3

ATTACHMENTS FILED  
WITH THE CLERK OF THE BOARD

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

**SUBJECT:** Pyrite Channel Bypass, Stage 1  
Project No. 1-0-00109-01  
District 2/District 2

**SUBMITTAL DATE:** November 27, 2012

**Page 2**

**BACKGROUND:**

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

The Pyrite Channel Bypass, Stage 1 Project (Project) entails the construction and subsequent maintenance of a 1,700-foot long underground storm drain system and the installation of curb and gutter and new pavement along Pyrite Street.

The District's concrete-lined Pyrite Channel ends at Pyrite Street where flows are discharged into a natural wash that runs through a residential community west of Pyrite Street. The property owners have encroached into the wash with their development and have experienced flood damage in the past. The proposed storm drain would intercept low flows in Pyrite Channel before they run through the residential area and redirect them to the District's existing concrete-lined Jurupa Channel. Jurupa Channel would return the low flows to the natural wash after they have bypassed the residential area. The curb and gutter would improve drainage along Pyrite Street.

In June 2011, the Redevelopment Agency for the County of Riverside (RDA) prepared a final initial study for a project entitled "Pyrite Street Improvement Project" in accordance with the California Environmental Quality Act (CEQA). The Project was included in RDA's initial study. With the recent ruling by the California Supreme Court to phase out economic development programs, RDA has decided not to construct their project or adopt a Mitigated Negative Declaration based on the findings in the initial study. In order to alleviate flooding in the area, the District has decided to assume the CEQA lead agency role for the portion of the "Pyrite Street Improvement Project" that includes the storm drain system and associated street improvements.

A new MND and IS was prepared by the District to reflect the lead agency change, smaller scope of the project, and changes in local jurisdiction (e.g., incorporation of the City of Jurupa Valley). However, since the RDA's IS analyzed most of the proposed Project impacts, applicable portions of the RDA's IS have been incorporated into the District's IS.

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.

1  
2 BOARD OF SUPERVISORS

RIVERSIDE COUNTY FLOOD CONTROL  
AND WATER CONSERVATION DISTRICT

3 RESOLUTION NO. F2012-22  
4 APPROVING PYRITE CHANNEL BYPASS, STAGE 1 PROJECT

5  
6 WHEREAS, on September 25, 2012, the Board adopted Resolution No. F2012-21  
7 pursuant to Section 18 of the District Act giving notice of its intention to construct a project in  
8 Zone 1, within the city of Jurupa Valley, designated as Pyrite Channel Bypass, Stage 1 Project  
9 ("Project") and giving further notice that the Project would be considered at a public hearing on  
10 November 27, 2012; and

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

14 WHEREAS, the Redevelopment Agency for the County of Riverside (RDA) prepared a  
15 California Environmental Quality Act (CEQA) initial study that included the Project; and

16 WHEREAS, with the recent ruling by the California Supreme Court to phase out  
17 economic development programs, RDA has decided not to construct their project or adopt a  
18 Mitigated Negative Declaration based on the findings in the initial study; and

19 WHEREAS, in order to alleviate flooding in the area, the District has assumed the CEQA  
20 Lead Agency role for the proposed Project; and

21 WHEREAS, all provisions of the CEQA and the District Rules to Implement the CEQA  
22 have been met and the General Manager-Chief Engineer of the District has found that the Project  
23 will not have a significant adverse effect upon the environment and has completed a Mitigated  
24 Negative Declaration; now, therefore,

25 BE IT RESOLVED, FOUND, DETERMINED AND ORDERED by the Board of  
26 Supervisors of the Riverside County Flood Control and Water Conservation District in regular  
27 session assembled on November 27, 2012 based upon the evidence and testimony presented on  
28 the matter, both written and oral, that:

FORM APPROVED COUNTY COUNSEL  
BY:  DATE: 9/5/12  
MICHELLE CLACK

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

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

16 3. The Project is consistent with the Narrow Endemic Plant Species requirements of  
17 the MSHCP. Pursuant to Section 6.1.3 of the MSHCP, habitat assessments and/or focused  
18 surveys for certain narrow endemic plant species are required for properties within mapped  
19 survey areas. The survey area maps included within the MSHCP have been reviewed and the  
20 Project is partially located within the survey areas for San Diego ambrosia, Brand's phacelia, and  
21 San Miguel savory. A habitat assessment was conducted and it was determined that suitable  
22 habitat for the above plant species does not occur on the Project site. Therefore, no further  
23 assessments and/or surveys or conservation measures are required.

24 4. The Project is consistent with the Urban-Wildlands Interface requirements of the  
25 MSHCP. Section 6.1.4 of the MSHCP presents guidelines to minimize indirect effects of a  
26 project in proximity to the MSHCP Conservation Area. This section provides mitigation  
27 measures for impacts associated with: Drainage, Toxics, Lighting, Noise, Invasives, Barriers  
28 and Grading/Land Development. The Project has been reviewed and it has been determined the

1  
2 Project does not occur within or adjacent to the Criteria Area or MSHCP designated  
3 Public/Quasi-Public conservation lands. Therefore, no further analysis or implementation of any  
4 conservation measures is required.

5         5. The Project is consistent with the Database Updates/Additional Surveys  
6 requirements of the MSHCP. Pursuant to Section 6.3.2 of the MSHCP, habitat assessments  
7 and/or focused surveys for certain additional plant and animal species are required for properties  
8 within mapped survey areas. The survey area maps have been reviewed and the Project is only  
9 within a mapped survey area for the Burrowing Owl. A habitat assessment was conducted for  
10 the Burrowing Owl pursuant to accepted protocol during October 2010 and a focused survey was  
11 conducted during March 2011. No Burrowing Owls or Burrowing Owl signs were observed  
12 within the surveyed area in 2010 or 2011. In accordance with the MSHCP, a pre-construction  
13 survey for Burrowing Owls will be conducted within 30 days prior to disturbance of the property  
14 for construction purposes. The Project satisfies the plant, mammal, amphibian, and bird  
15 Additional Survey Needs and Procedures requirements of the MSHCP.

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

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

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

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BE IT FURTHER RESOLVED that, within five (5) working days of this Board meeting, 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 is thereby directed to file same, and the Clerk of the Board is further directed to deliver the Notice of Determination to the State Office of Planning and Research, all as required by law.

**PYRITE CHANNEL BYPASS, STAGE 1  
PROJECT NO. 1-0-00109-01**

**ENGINEER'S STATEMENT**

The proposed project is located within the city of Jurupa Valley in Riverside County, California. The Pyrite Channel Bypass Project entails the construction and subsequent maintenance of a 1,700-foot long underground storm drain system and the installation of curb and gutter and new pavement along Pyrite Street. Utility services to be relocated may include cable, telephone, gas, water and sewer within the road rights-of-way.

The District's concrete-lined Pyrite Channel ends at Pyrite Street where flows are discharged into a natural wash that runs through a residential community west of Pyrite Street. The property owners have encroached into the wash with their development and have experienced flood damage in the past. The proposed storm drain would intercept low flows in Pyrite Channel before they run through the residential area and redirect them to the District's existing concrete-lined Jurupa Channel. Jurupa Channel would return the low flows to the natural wash after they have bypassed the residential area. The curb and gutter would improve drainage along Pyrite Street.

The proposed project area may be found within Township 2 South, Range 6 West, Sections 12 and 13 of the Fontana 7.5 Series USGS Topographic Quadrangle map. The cost of the proposed project is approximately \$940,000.

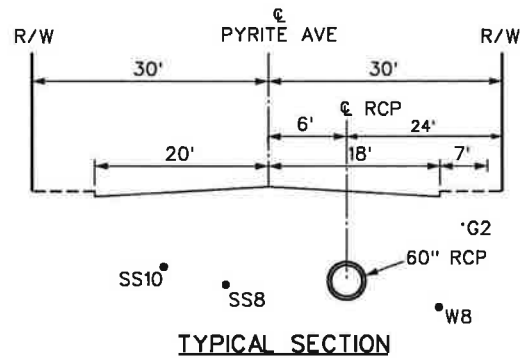
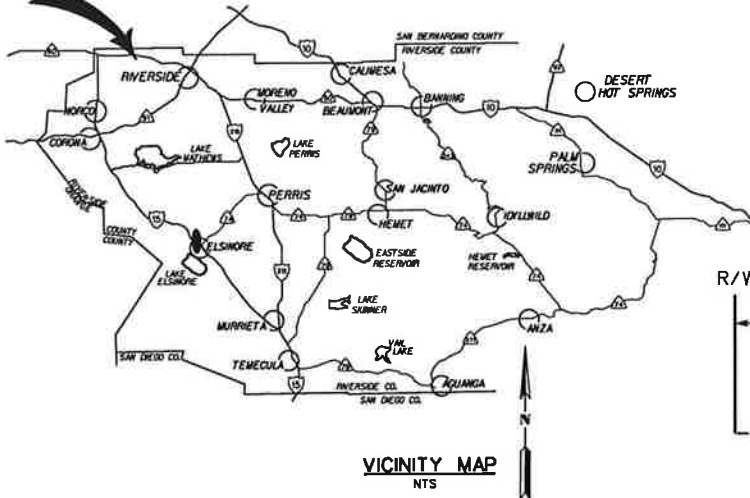
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# SECTION 18 PUBLIC HEARING MAP

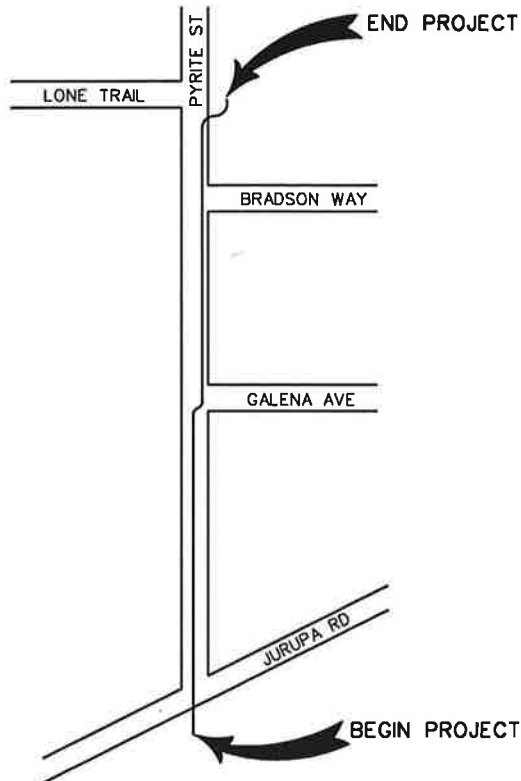


**PYRITE CHANNEL BYPASS  
STAGE 1  
1-0-0109  
JUNE 2012**

PROJECT LOCATION



LOCATION MAP  
N.T.S.





**Notice of Determination**

To: Office of Planning and Research

From: Riverside County Flood Control  
1995 Market Street  
Riverside, CA 92501  
Contact: Art Diaz  
Phone: 951.955.1233

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

*Street Address:*  
1400 Tenth Street  
Sacramento, CA 95814

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

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): 2012091027

**Project Title:** Pyrite Channel Bypass, Stage 1

**Project Location (include county)**

The proposed project is generally located along Pyrite Street from Lone Trail to approximately 60 feet south of Jurupa Road in the city of Jurupa Valley in Riverside County, California. The proposed project area may be found within Township 2 South, Range 6 West, Sections 12 and 13 of the Fontana 7.5 Series USGS Topographic Quadrangle map.

**Project Description**

The Pyrite Channel Bypass Project entails the construction and subsequent maintenance of a 1,700-foot long underground storm drain system and the installation of curb and gutter and new pavement along Pyrite Street. Utility services to be relocated may include cable, telephone, gas, water and sewer within the road rights-of-way.

The District's concrete-lined Pyrite Channel ends at Pyrite Street where flows are discharged into a natural wash that runs through a residential community west of Pyrite Street. The property owners have encroached into the wash with their development and have experienced flood damage in the past. The proposed storm drain would intercept low flows in Pyrite Channel before they run through the residential area and redirect them to the District's existing concrete-lined Jurupa Channel. Jurupa Channel would return the low flows to the natural wash after they have bypassed the residential area. The curb and gutter would improve drainage along Pyrite Street.

This is to advise that the Riverside County Flood Control and Water Conservation District (Lead Agency) has approved the above described project on November 27, 2012 and has made the following determinations regarding the above described project:

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 Monitoring Program 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 Mitigated Negative Declaration is available to the General Public at: The Office of the Clerk of 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.

**RIVERSIDE COUNTY CLERK-RECORDER**

**AUTHORIZATION TO BILL**

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**TO BE FILLED OUT BY SUBMITTING AGENCY**

DATE: 7/17/2012 BUSINESS UNIT/AGENCY: FLOOD CONTROL - FCARC

ACCOUNTING STRING:

ACCOUNT: 526410 FUND: 25110  
DEPT ID: 947400 PROGRAM: \_\_\_\_\_

AMOUNT: \$2,101.50  
\$ 64.00 - Doc Handling Fee  
\$2,165.50

REF: FINAL CEQA POSTING FOR PYRITE CHANNEL BYPASS,STAGE 1-0-00109-01

THIS AUTHORIZES THE COUNTY CLERK & RECORDER TO ISSUE AN INVOICE FOR PAYMENT OF ALL FEES FOR THE ACCOMPANYING DOCUMENTS.

NUMBER OF DOCUMENTS INCLUDED: 7

AUTHORIZED BY: Lisa McFarland 

PRESENTED BY: Art Diaz

CONTACT: Lisa McFarland (951) 955-8454

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**TO BE FILLED OUT BY COUNTY CLERK**

ACCEPTED BY: \_\_\_\_\_

DATE: \_\_\_\_\_

DOCUMENT NO(S)/INVOICE NO(S): \_\_\_\_\_

# CERTIFICATE OF POSTING

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

I, Mary Ann Meyer, do hereby certify that I am  
not  
(NAME AND TITLE)  
a party to the within action or proceeding; that on 10.1.12, I posted a  
(DATE)  
copy of the following document:

**RESOLUTION NO. F2012-21 SETTING A PUBLIC HEARING DATE FOR PYRITE CHANNEL  
BYPASS, STAGE 1 PROJECT 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)**

by posting at Riverside County Clerk and Recorder's Office, 2724 Gateway Drive, Riverside, California  
92507.

Date: 10.1.12

M Meyer  
(Signature)

# CERTIFICATE OF POSTING

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

I, Berlyn Castaneda, do hereby certify that I am  
not \_\_\_\_\_, do hereby certify that I am  
not \_\_\_\_\_  
(NAME AND TITLE)  
a party to the within action or proceeding; that on 10 / 11 / 12, I posted a  
(DATE)  
copy of the following document:

**RESOLUTION NO. F2012-21 SETTING A PUBLIC HEARING DATE FOR PYRITE CHANNEL  
BYPASS, STAGE 1 PROJECT 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)**

by posting at City of Jurupa Valley City Hall, 8304 Limonite Avenue, Suite "M", Jurupa Valley,  
California 92509.

Date: 10 / 11 / 12

Berlyn Castaneda  
(Signature)