

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

808 B



FROM: General Manager-Chief Engineer

SUBMITTAL DATE:
September 24, 2013

SUBJECT: Public Hearing for North Norco Channel, Stage 10
Project No. 2-0-00140-10
District 2/District 2

RECOMMENDED MOTION:

1. Consider the City of Norco's Addendum and adopted Mitigated Negative Declaration; and
2. Adopt Resolution No. F2013-21 which a) finds that no new environmental documentation is required because the Project is within the scope of the City of Norco's Mitigated Negative Declaration and Addendum, and taken together, the environmental effects of the project have been adequately addressed, and b) authorizes the District to proceed with the Project's construction; and
3. Direct the Clerk of the Board to deliver the Notice of Determination to the office of the County Clerk 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

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:
Steven C. Horn, MPA

County Executive Office Signature

FORM APPROVED COUNTY COUNSEL
BY:
MICHELLE CLACK
DATE: 9/10/13

Dept't Recomm.: Policy Policy

Per Exec. Ofc.: Consent Consent

Prev. Agn. Ref.: 11.1 of 7/30/13 | District: 2nd/2nd | Agenda Number:

11-6

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

SUBJECT: Public Hearing for North Norco Channel, Stage 10
Project No. 2-0-00140-10
District 2/District 2

SUBMITTAL DATE: September 24, 2013
Page 2

BACKGROUND:

The North Norco Channel, Stage 10 (Project) consists of the installation and subsequent maintenance of approximately 550 lineal feet of reinforced concrete box and 125 lineal feet of concrete lined channel. The Project will connect the existing upstream and downstream portions of the District's North Norco Channel.

In July 2008, pursuant to CEQA, the City of Norco (City), acting as lead agency, adopted a Mitigated Negative Declaration for Site Plan 2008-02, Conditional Use Permits 2008-02 and 2008-03 and Tentative Parcel Map 24525 (MND). Separately from the private development, the Project was originally to be completed by the City's Redevelopment Agency (RDA). The City subsequently considered an Addendum to the MND in January 2011 to address the Project impacts. At the time the Addendum was considered, the City made findings that the Project would not result in a change to any of the mandatory findings of significance outlined in the MND and would be in compliance with CEQA Guidelines Sections 15162 and 15164.

In June 2012, the City decided to construct the Project. In January 2013, the City requested that the District construct the Project.

Section 18 of the Riverside County Flood Control and Water Conservation District Act requires the Board to hold a Public Hearing for the purpose of considering all comments regarding any proposed project before granting authorization to proceed with actual construction of the project.

Further pursuant to CEQA, the District is a responsible agency and is responsible for considering the City-adopted MND and Addendum. The final design of the Project differs slightly from what was analyzed in the Addendum as it has more reinforced concrete box and less concrete lined channel. The minor technical changes associated with the Project will not result in the disturbance of more area than previously analyzed and will only result in a minor increase of excavation and truck trips. The District has determined that the minor technical changes associated with the Project do not constitute substantial changes to the Project or result in new significant impacts and none of the conditions described in Section 15162 of the CEQA Guidelines calling for the preparation of a subsequent MND have occurred, therefore, further CEQA review is not required.

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BOARD OF SUPERVISORS RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

RESOLUTION NO. F2013-21
APPROVING NORTH NORCO CHANEL, STAGE 10 PROJECT

WHEREAS, on July 30, 2013, the Board adopted Resolution No. F2013-20 pursuant to Section 18 of the District Act giving notice of its intention to construct a project in Zone 2, within the city of Norco, designated as North Norco Channel, Stage 10 Project ("Project") and giving further notice that the Project would be considered at a public hearing on September 24, 2013; 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, on July 16, 2008, the City of Norco, acting as lead agency under the California Environmental Quality Act (hereinafter referred to as "CEQA") adopted a Mitigated Negative Declaration for Site Plan 2008-02, Conditional Use Permits 2008-02 and 2008-03 and Tentative Parcel Map 24525 (hereinafter referred to as "MND"); and

WHEREAS, on July 12, 2010, the City of Norco, acting as lead agency under CEQA prepared an addendum to the adopted MND (hereinafter referred to as "Addendum") to analyze the Project; and

WHEREAS, on January 25, 2011, the City of Norco, acting as lead agency under CEQA, considered the Addendum and made findings that the Project would not result in a change to any of the mandatory findings of significance outlined in the adopted MND and would be in compliance with CEQA Guidelines Sections 15162 and 15164; and

WHEREAS, pursuant to CEQA, the City of Norco is the lead agency and is responsible for assuring that an adequate environmental analysis of the entire Project has been conducted; and

WHEREAS, the City of Norco requested that the District construct the Project; and

FORM APPROVED COUNTY COUNSEL
BY:  DATE: 9/10/13
MICHELLE CLACK

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2 WHEREAS, pursuant to CEQA, the District is a responsible agency and is responsible
3 for considering the Addendum with the adopted MND determined to be adequate by the City of
4 Norco; and

5 WHEREAS, the District will construct the Project; and

6 WHEREAS, the final design of the Project differs slightly from the project analyzed in
7 the Addendum in that the Project will consist of approximately 550 lineal feet of reinforced
8 concrete box and approximately 125 lineal feet of concrete lined channel instead of the 285 feet
9 of reinforced concrete box and 391 lineal feet of concrete lined channel described in the
10 Addendum; and

11 WHEREAS, the minor technical changes associated with the Project will not result in the
12 disturbance of more area than previously analyzed, will only provide more reinforced concrete
13 box, and will only result in a minor increase of excavation and truck trips; and

14 WHEREAS, the District has determined that the minor technical changes associated with
15 the Project will not result in substantial changes to the Project or new significant impacts and
16 none of the conditions described in Section 15162 of the CEQA Guidelines calling for the
17 preparation of a subsequent Mitigated Negative Declaration have occurred, and further CEQA
18 review is not required; and

19 WHEREAS, the District has considered the adopted MND and the Addendum and, taken
20 together, they thoroughly address the environmental effects of the Project.

21 NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED
22 by the Board of Supervisors of the Riverside County Flood Control and Water Conservation
23 District in regular session assembled on September 24, 2013 based upon the evidence and
24 testimony presented on the matter, both written and oral, including the consideration of the
25 adopted MND and Addendum that:

26 1. No new environmental documentation is required because the Project is within
27 the scope of the adopted MND and Addendum, and taken together, the environmental effects of
28 the Project have been adequately addressed in the earlier adopted MND and Addendum.

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2. The District is authorized to proceed with the Project's construction.

BE IT FURTHER RESOLVED that, within 5 working days of this Board hearing, the Clerk of the Board is directed to deliver 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.