

949.727.9336 PHONE 949.727.7399 FAX

www.TRCsolutions.com

November 8, 2013

San Manuel Band of Mission Indians Daniel McCarthy, M.S., Director-CRM Dept. 26569 Community Center Drive Highland, CA 92346 Sent via email

Dear Mr. McCarthy,

TRC Solutions, Inc. has been retained by Riverside City Flood Control District to conduct a cultural study for the University Wash project. The project is located in Riverside County. The project is depicted on the attached United States Geological Survey (USGS) quadrangle map.

Quadrangle	Township	Range	Section
<b>Riverside East</b>	2S	5W	13, 24

TRC conducted a literature search/review, and a cultural resources survey for the project vicinity in addition to a Sacred Lands Search with the Native American Heritage Commission. Pursuant to Section 101 of the National Historic Preservation Act, TRC is notifying Native American parties about the project and inquiring about any cultural sensitivity concerns you may have.

I would appreciate any input or concerns you may have about the project in writing so they may be addressed in a timely manner. If you have any questions or concerns regarding this project, please feel free to contact me at any time. Thank you for your time and help.

Respectfully,

Susan Underbrink

Susan Underbrink M.A., RPA Senior Archaeologist <u>sunderbrink@trcsolutions.com</u> (949) 727-7385 direct line



949.727.9336 PHONE 949.727.7399 FAX

www.TRCsolutions.com

November 8, 2013

Gabrielino/Tongva San Gabriel Band of Mission Indians Anthony Morales, Chairperson P.O. Box 693 San Gabriel, CA 91778 Sent via email

Dear Mr. Morales,

TRC Solutions, Inc. has been retained by Riverside City Flood Control District to conduct a cultural study for the University Wash project. The project is located in Riverside County. The project is depicted on the attached United States Geological Survey (USGS) quadrangle map.

Quadrangle	Township	Range	Section
<b>Riverside East</b>	2S	5W	13, 24

TRC conducted a literature search/review, and a cultural resources survey for the project vicinity in addition to a Sacred Lands Search with the Native American Heritage Commission. Pursuant to Section 101 of the National Historic Preservation Act, TRC is notifying Native American parties about the project and inquiring about any cultural sensitivity concerns you may have.

I would appreciate any input or concerns you may have about the project in writing so they may be addressed in a timely manner. If you have any questions or concerns regarding this project, please feel free to contact me at any time. Thank you for your time and help.

Respectfully,

Susan Underbrink

Susan Underbrink M.A., RPA Senior Archaeologist <u>sunderbrink@trcsolutions.com</u> (949) 727-7385 direct line



949.727.9336 PHONE 949.727.7399 FAX

www.TRCsolutions.com

November 8, 2013

Soboba Band of Luiseno Indians Joseph Ontiveros, Cultural Resource Department P.O. Box 487 San Jacinto, CA 92581 Sent via email

Dear Mr. Ontiveros,

TRC Solutions, Inc. has been retained by Riverside City Flood Control District to conduct a cultural study for the University Wash project. The project is located in Riverside County. The project is depicted on the attached United States Geological Survey (USGS) quadrangle map.

Quadrangle	Township	Range	Section
<b>Riverside East</b>	2S	5W	13, 24

TRC conducted a literature search/review, and a cultural resources survey for the project vicinity in addition to a Sacred Lands Search with the Native American Heritage Commission. Pursuant to Section 101 of the National Historic Preservation Act, TRC is notifying Native American parties about the project and inquiring about any cultural sensitivity concerns you may have.

I would appreciate any input or concerns you may have about the project in writing so they may be addressed in a timely manner. If you have any questions or concerns regarding this project, please feel free to contact me at any time. Thank you for your time and help.

Respectfully,

Susan Underbrink

Susan Underbrink M.A., RPA Senior Archaeologist <u>sunderbrink@trcsolutions.com</u> (949) 727-7385 direct line



949.727.9336 PHONE 949.727.7399 FAX

www.TRCsolutions.com

November 8, 2013

Cahuilla Band of Indians Luther Salgado, Chairperson P.O. Box 391760 Anza, CA 92539 Sent via email

Dear Mr. Salgado,

TRC Solutions, Inc. has been retained by Riverside City Flood Control District to conduct a cultural study for the University Wash project. The project is located in Riverside County. The project is depicted on the attached United States Geological Survey (USGS) quadrangle map.

Quadrangle	Township	Range	Section
<b>Riverside East</b>	2S	5W	13, 24

TRC conducted a literature search/review, and a cultural resources survey for the project vicinity in addition to a Sacred Lands Search with the Native American Heritage Commission. Pursuant to Section 101 of the National Historic Preservation Act, TRC is notifying Native American parties about the project and inquiring about any cultural sensitivity concerns you may have.

I would appreciate any input or concerns you may have about the project in writing so they may be addressed in a timely manner. If you have any questions or concerns regarding this project, please feel free to contact me at any time. Thank you for your time and help.

Respectfully,

Susan Underbrink

Susan Underbrink M.A., RPA Senior Archaeologist <u>sunderbrink@trcsolutions.com</u> (949) 727-7385 direct line



949.727.9336 PHONE 949.727.7399 FAX

www.TRCsolutions.com

November 8, 2013

Ernest H. Siva Morongo Band of Mission Indians Tribal Elder 9570 Mias Canyon Road Banning, CA 92220 Sent via email

Dear Mr. Siva,

TRC Solutions, Inc. has been retained by Riverside City Flood Control District to conduct a cultural study for the University Wash project. The project is located in Riverside County. The project is depicted on the attached United States Geological Survey (USGS) quadrangle map.

Quadrangle	Township	Range	Section
<b>Riverside East</b>	2S	5W	13, 24

TRC conducted a literature search/review, and a cultural resources survey for the project vicinity in addition to a Sacred Lands Search with the Native American Heritage Commission. Pursuant to Section 101 of the National Historic Preservation Act, TRC is notifying Native American parties about the project and inquiring about any cultural sensitivity concerns you may have.

I would appreciate any input or concerns you may have about the project in writing so they may be addressed in a timely manner. If you have any questions or concerns regarding this project, please feel free to contact me at any time. Thank you for your time and help.

Respectfully,

Susan Underbrink

Susan Underbrink M.A., RPA Senior Archaeologist <u>sunderbrink@trcsolutions.com</u> (949) 727-7385 direct line



949.727.9336 PHONE 949.727.7399 FAX

www.TRCsolutions.com

November 8, 2013

Serrano Nation of Mission Indians Goldie Walker, Chairwoman P.O. Box 343 Patton, CA 92369 Sent via mail

Dear Ms. Walker,

TRC Solutions, Inc. has been retained by Riverside City Flood Control District to conduct a cultural study for the University Wash project. The project is located in Riverside County. The project is depicted on the attached United States Geological Survey (USGS) quadrangle map.

Quadrangle	Township	Range	Section
<b>Riverside East</b>	2S	5W	13, 24

TRC conducted a literature search/review, and a cultural resources survey for the project vicinity in addition to a Sacred Lands Search with the Native American Heritage Commission. Pursuant to Section 101 of the National Historic Preservation Act, TRC is notifying Native American parties about the project and inquiring about any cultural sensitivity concerns you may have.

I would appreciate any input or concerns you may have about the project in writing so they may be addressed in a timely manner. If you have any questions or concerns regarding this project, please feel free to contact me at any time. Thank you for your time and help.

Respectfully,

Susan Underbrink

Susan Underbrink M.A., RPA Senior Archaeologist <u>sunderbrink@trcsolutions.com</u> (949) 727-7385 direct line



949.727.9336 PHONE 949.727.7399 FAX

www.TRCsolutions.com

November 8, 2013

Santa Rosa Band of Mission Indians John Marcus, Chairman P.O. Box 391820 Anza, CA 92539 Sent via mail

Dear Mr. Marcus,

TRC Solutions, Inc. has been retained by Riverside City Flood Control District to conduct a cultural study for the University Wash project. The project is located in Riverside County. The project is depicted on the attached United States Geological Survey (USGS) quadrangle map.

Quadrangle	Township	Range	Section
<b>Riverside East</b>	2S	5W	13, 24

TRC conducted a literature search/review, and a cultural resources survey for the project vicinity in addition to a Sacred Lands Search with the Native American Heritage Commission. Pursuant to Section 101 of the National Historic Preservation Act, TRC is notifying Native American parties about the project and inquiring about any cultural sensitivity concerns you may have.

I would appreciate any input or concerns you may have about the project in writing so they may be addressed in a timely manner. If you have any questions or concerns regarding this project, please feel free to contact me at any time. Thank you for your time and help.

Respectfully,

Susan Underbrink

Susan Underbrink M.A., RPA Senior Archaeologist <u>sunderbrink@trcsolutions.com</u> (949) 727-7385 direct line

### **Underbrink**, Susan

From:	Daniel McCarthy <dmccarthy@sanmanuel-nsn.gov></dmccarthy@sanmanuel-nsn.gov>
Sent:	Tuesday, November 12, 2013 1:53 PM
То:	Underbrink, Susan
Subject:	RE: Proposed University Wash Project

Susan,

Thank you for the opportunity to comment. In the future it would be most helpful if you would provide the results of a records search from the Eastern California Archaeological Information Center at UCR with your request for review. We are not aware of any sacred or religious sites within this project area. If cultural resources are identified during the archaeological assessment, please provide the Tribe a copy of the report and an opportunity to comment. If you have any questions, please don't hesitate contacting me. //daniel

Daniel McCarthy, MS, RPA Director Cultural Resources Management Department San Manuel Band of Mission Indians 26569 Community Center Drive Highland, CA 92346 Office: 909 864-8933 x 3248 Cell: 909 838-4175 dmccarthy@sanmanuel-nsn.gov

From: Underbrink, Susan [mailto:SUnderbrink@trcsolutions.com] Sent: Friday, November 08, 2013 4:40 PM To: Daniel McCarthy Subject: Proposed Project

Hi Please see the attached letter for a proposed project in the City of Riverside. Feel free to contact me if you have any comments or concerns. Thanks for your time and help Susan

Susan Underbrink MA, RPA Project Manager/Archaeology



123 Technology Drive, Suite 100, Irvine, CA 92630 T: 949.727.7385 | F: 949.727.7399 | C: 949.275.0462

LinkedIn | Twitter | Blog | Flickr | www.trcsolutions.com

This email has been scanned by the Symantec Email Security.cloud service. For more information please visit <u>http://www.symanteccloud.com</u> November 26, 2013

Attn: Susan Underbrink, M.A., RPA Senior Archaeologist TRC Solutions 123 Technology Drive Irvine, CA 92618



EST. JUNE 19, 1883

### Re: University Wash Project, City of Riverside, Riverside County, California

The Soboba Band of Luiseño Indians appreciates your observance of Tribal Cultural Resources and their preservation in your project. The information provided to us on said project has been assessed through our Cultural Resource Department, where it was concluded that although it is outside the existing reservation, the project area does fall within the bounds of our Tribal Traditional Use Areas.

Soboba Band of Luiseño Indians is requesting the following:

- 1. To initiate a consultation with the Project Developer and Land owner.
- 2. The transfer of information to the Soboba Band of Luiseno Indians regarding the progress of this project should be done as soon as new developments occur.
- 3. Soboba Band of Luiseño Indians continues to act as a consulting tribal entity for this project.
- 4. Working in and around traditional use areas intensifies the possibility of encountering cultural resources during the construction/excavation phase. For this reason the Soboba Band of Luiseño Indians requests that Native American Monitor(s) from the Soboba Band of Luiseño Indians Cultural Resource Department to be present during any ground disturbing proceedings. Including surveys and archaeological testing.
- 5. Request that proper procedures be taken and requests of the tribe be honored (Please see the attachment)

Singerely Joseph Ontiveros Director of Cultural Resources P:O. Box 487 San Jacinto, CA 92581 Phone (951) 654-5544 ext. 4137 Cell (951) 663-5279 jontiveros@soboba-nsn.gov

<u>Cultural Items (Artifacts)</u>. Ceremonial items and items of cultural patrimony reflect traditional religious beliefs and practices of the Soboba Band. The Developer should agree to return all Native American ceremonial items and items of cultural patrimony that may be found on the project site to the Soboba Band for appropriate treatment. In addition, the Soboba Band requests the return of all other cultural items (artifacts) that are recovered during the course of archaeological investigations. When appropriate and agreed upon in advance, the Developer's archeologist may conduct analyses of certain artifact classes if required by CEQA, Section 106 of NHPA, the mitigation measures or conditions of approval for the Project. This may include but is not limited or restricted to include shell, bone, ceramic, stone or other artifacts.

The Developer should waive any and all claims to ownership of Native American, ceremonial and cultural artifacts that may be found on the Project site. Upon completion of authorized and mandatory archeological analysis, the Developer should return said artifacts to the Soboba Band within a reasonable time period agreed to by the Parties and not to exceed (30) days from the initial recovery of the items.

### Treatment and Disposition of Remains.

A. The Soboba Band shall be allowed, under California Public Resources Code § 5097.98 (a), to (1) inspect the site of the discovery and (2) make determinations as to how the human remains and grave goods shall be treated and disposed of with appropriate dignity.

B. The Soboba Band, as MLD, shall complete its inspection within twenty-four (24) hours of receiving notification from either the Developer or the NAHC, as required by California Public Resources Code § 5097.98 (a). The Parties agree to discuss in good faith what constitutes "appropriate dignity" as that term is used in the applicable statutes.

C. Reburial of human remains shall be accomplished in compliance with the California Public Resources Code § 5097.98 (a) and (b). The Soboba Band, as the MLD in consultation with the Developer, shall make the final discretionary determination regarding the appropriate disposition and treatment of human remains.

D. All parties are aware that the Soboba Band may wish to rebury the human remains and associated ceremonial and cultural items (artifacts) on or near, the site of their discovery, in an area that shall not be subject to future subsurface disturbances. The Developer should accommodate on-site reburial in a location mutually agreed upon by the Parties. E. The term "human remains" encompasses more than human bones because the Soboba Band's traditions periodically necessitated the ceremonial burning of human remains. Grave goods are those artifacts associated with any human remains. These items, and other funerary remnants and their ashes are to be treated in the same manner as human bone fragments or bones that remain intact.

<u>Coordination with County Coroner's Office</u>. The Lead Agencies and the Developer should immediately contact both the Coroner and the Soboba Band in the event that any human remains are discovered during implementation of the Project. If the Coroner recognizes the human remains to be those of a Native American, or has reason to believe that they are those of a Native American, the Coroner shall ensure that notification is provided to the NAHC within twenty-four (24) hours of the determination, as required by California Health and Safety Code § 7050.5 (c).

**Non-Disclosure of Location Reburials.** It is understood by all parties that unless otherwise required by law, the site of any reburial of Native American human remains or cultural artifacts shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. The Coroner, parties, and Lead Agencies, will be asked to withhold public disclosure information related to such reburial, pursuant to the specific exemption set forth in California Government Code § 6254 (r).

Ceremonial items and items of cultural patrimony reflect traditional religious beliefs and practices of the Soboba Band. The Developer agrees to return all Native American ceremonial items and items of cultural patrimony that may be found on the project site to the Soboba Band for appropriate treatment. In addition, the Soboba Band requests the return of all other cultural items (artifacts) that are recovered during the course of archaeological investigations. Where appropriate and agreed upon in advance, Developer's archeologist may conduct analyses of certain artifact classes if required by CEQA, Section 106 of NHPA, the mitigation measures or conditions of approval for the Project. This may include but is not limited or restricted to include shell, bone, ceramic, stone or other artifacts. Dear Mrs. Underbrink,

Thank you for the notification to consult on the proposed project. Although the email does not specify the type of construction activity that may occur within the project boundaries I will assume that subsurface construction activity can be anticipated. Since the project area is within the traditional tribal territory of the Gabrielino Tongva Nation I would recommend that adequate measures be in place during ground disturbance associated with this project to ensure the identification and protection of the cultural resources of our tribal group.

I therefore request archaeological monitoring during ground disturbing construction activity associated with the proposed project and that a Native American monitor be present to assist in the assessment of any unanticipated prehistoric archaeological discoveries. I request the Native American monitor be selected from the Gabrielino Tongva Nation and be compensated for their monitoring services by the project proponent. I will facilitate the selection and placement of the Native American monitor.

Sincerely,

Sam Dunlap Cultural Resource Director Gabrielino Tongva Nation (909) 262-9351 cell

-----Original Message-----From: "Underbrink, Susan" Sent: Nov 8, 2013 3:58 PM To: "samdunlap@earthlink.net" Subject: Riverside Proposed Project

Hi Sam, Please see the attached letter for a proposed project in the City of Riverside. Please let me know if you have any comments or concerns. Thanks for your time and help Susan

This email has been scanned by the Symantec Email Security.cloud service. For more information please visit http://www.symanteccloud.com

This email has been scanned by the Symantec Email Security.cloud service. For more information please visit http://www.symanteccloud.com

## Appendix H

Paleontological Resources Record Search

Natural History Museum of Los Angeles County 900 Exposition Boulevard Los Angeles, CA 90007

tel 213.763.DINO www.nhm.org

Vertebrate Paleontology Section Telephone: (213) 763-3325 FAX: (213) 746-7431 e-mail: smcleod@nhm.org

29 December 2011

TRC 123 Technology Drive Irvine, CA 92618

Attn: Susan Underbrink, Project Manager / Senior Archaeologist

re: Paleontological resources for the proposed University Wash Project, Reference # C189699, in the City of Riverside, Riverside County, project area

Dear Susan:

I have thoroughly searched our paleontology collection records for the locality and specimen data for the proposed University Wash Project, Reference # C189699, in the City of Riverside, Riverside County, project area as outlined on the map covering a portion of the Riverside East USGS topographic quadrangle map that you sent to me on 22 December 2011. We do not have any vertebrate fossil localities that lie directly within the proposed project area, but we do have a vertebrate fossil locality somewhat in the general vicinity from sedimentary deposits somewhat similar to those that occur in the proposed project area.

Most of the proposed project area has surficial deposits composed of older Quaternary Alluvium, derived predominately as fan deposits from the Box Spring Mountains to the east. These deposits typically do not contain significant vertebrate fossils, at least in the uppermost layers, and we have no localities nearby from these deposits. The eastern portion of the proposed project area, however, has surficial deposits of gravelly sands that are derived from the primary drainage that runs from the Box Spring Mountains in the east to the Santa Ana River just to the west, and these deposits may underlie the fan deposits in the rest of the proposed project area. Our closest vertebrate fossil locality in somewhat similar deposits is LACM 1207, west-southwest of the proposed project area in the northern part of the City of Corona, that produced a specimen of fossil deer, *Odocoileus*.



Surface grading or shallow excavations in the Quaternary fan deposits exposed in most of the proposed project area are unlikely to encounter significant vertebrate fossil remains. Deeper excavations in the those areas that extend down into older fluvial deposits, however, as well as any excavations in the exposures of fluvial sands in the eastern portion of the proposed project area, may well uncover significant Late Pleistocene vertebrate fossils similar to those found at the Rancho La Brea asphalt deposits in Los Angeles. Any substantial excavations in the proposed project area, therefore, should be monitored closely to quickly and professionally recover any fossil remains discovered while not impeding development. Any fossils recovered during mitigation should be deposited in an accredited and permanent scientific institution for the benefit of current and future generations.

This records search covers only the vertebrate paleontology records of the Natural History Museum of Los Angeles County. It is not intended to be a thorough paleontological survey of the proposed project area covering other institutional records, a literature survey, or any potential on-site survey.

Sincerely,

Sound ( a. M. Leod

Samuel A. McLeod, Ph.D. Vertebrate Paleontology

enclosure: draft invoice

## Appendix I

Noise Impact Evaluation Report

## **Noise Impact Evaluation Report**



## **University Wash Project**

## **Riverside**, California

February 2014

Prepared For: Riverside County Flood Control and Water Conservation District 1995 Market Street Riverside, CA 92501

Prepared By:

123 Technology Dr. Irvine, CA 92618

## TABLE OF CONTENTS

UNIVERSITY WASH – NOISE AND VIBRATION ANALYSIS1		
1.0	INTRODUCTION1	
2.0	NOISE ANALYSIS1	
3.0	REFERENCES	

### LIST OF TABLES

Table 1:	Common Sounds and Noise Levels	1
Table 2:	Construction Equipment Sound Levels	2
Table 3:	Construction Noise Level Ranges by Phase (dBA) - Closest to Furthest Approaches to	)
Receptor	S	4
Table 4:	Human Response to Transient Vibration	6
Table 5:	Vibration Source Levels for Construction Equipment at 100 Feet and 150 Feet	6

## LIST OF ATTACHMENTS

Attachment A: Noise Calculation Spreadsheets

## **University Wash – Noise and Vibration Analysis**

## 1.0 INTRODUCTION

Construction of the proposed University Wash Stage 3 project (Project) will result in the generation of noise in the vicinity of the Project. Construction of the Project is anticipated to occur over an approximate six month period. Individual work phases in the vicinity of any single receptor location will generally last from a few hours to a few weeks, as construction activities progress along the corridor. Construction noise impacts will, therefore, be short term. Required routine maintenance following construction would be infrequent and is expected to require little or no mechanized equipment and, therefore, would not generate substantial noise.

## 2.0 NOISE ANALYSIS

### **Existing Setting**

The Project is located in a mainly industrial area. Interstate 215 runs just east of the site, and Riverside Freeway runs west of the site. Existing ambient noise levels in the Project area are relatively high, with contributing sources of noise that include streets and the major highways, a nearby railroad, and multiple industrial facilities, including a rock processing and trucking facility, and an auto salvage facility. Most of the proposed Project will traverse non-noise sensitive industrial land uses. Two noise sensitive land uses occur near the Project area; the Riverside Community Center on Hulen Place, and residences. In order to provide context to a given A-weighted sound level (dBA level), noise levels associated with common environments are provided in Table 1, Common Sounds and Noise Levels.

Sound Sources	Sound Source (dBA)
Jet Flyover at 1000 Feet	105
Gas Lawnmower at 3 Feet	95
Diesel Truck Going 50 MPH at 50 Feet	80
Noise Urban Area During Daytime	75
Gas Lawnmower at 100 Feet	70
Commercial Area	65
Heavy Traffic at 300 Feet	60
Quiet Urban Area During Daytime	50
Quiet Urban Area During Nighttime	40

 Table 1: Common Sounds and Noise Levels

Sound Sources	Sound Source (dBA)	
Quiet Suburban Area During Nighttime	35	
Quiet Rural Area During Nighttime	25	
Source: City of Riverside Noise Element, 2007.		

Table 1 (Cont):	Common	Sounds and	<b>Noise Levels</b>
	• • • • • • • • • • • •		

The City of Riverside municipal code contains a noise ordinance (Title 7, Noise Control). The ordinance provides limits on allowable noise levels based on land use categories, with the most restrictive limits for residential areas. Construction is prohibited outside of the hours of 7 am to 7 pm on weekdays, and 8 am to 5 pm on Saturdays, and is prohibited on Sundays. Construction noise is not subject to the decibel limits in the ordinance provided that construction occurs during allowable hours. Any construction outside of the allowable hours would be subject to the decibel limits in the ordinance.

The City of Riverside Noise Element also addresses noise, generally referring to the limits provided in the Riverside Code.

### Potential Noise Impacts

Noise is generated during construction primarily from internal combustion engines used to power mechanized equipment. Exhaust noise usually is the predominant source of internal combustion engine noise. The Project will require that internal combustion engines maintain functional mufflers during construction. Table 2, Construction Equipment Sound Levels, provides a listing of the construction equipment that will be utilized during construction of the Project and their associated noise levels.

Equipment	Noise Level at 50 Feet (dBA)
Air Compressor	78
Tractor/Loader/Backhoe	78
Cement Mixer	79
Concrete/Industrial Saw	90
Crushing Equipment [85 horsepower (hp)]	80
Dumper/Tender	77

 Table 2: Construction Equipment Sound Levels

Equipment	Noise Level at 50 Feet (dBA)
Excavator	81
Forklift (89 hp)	80
Generator Set	81
Grader	85
Loader	79
Paver	77
Plate Compactor	80
Pump	77
Roller	80
Rubber Tired Dozer	82
Rubber Tired Loader	79
Signal Board	70
Surfacing Equipment (254 hp)	85
Sweeper/Scrubber	80
Welder	73
Sources: FHWA, 2006. BBN, 1977.	1

Table 2 (Cont): Construction Equipment Sound Levels

Most phases of construction ongoing at a given time only have four or five pieces of equipment in operation. Some phases will only have one or two of the above types of equipment in operation. Additionally, the equipment will not be operated continuously, nor would equipment always operate simultaneously. There will be times when no equipment is in operation and noise would be at ambient levels.

This analysis focused on the two aforementioned noise sensitive uses. Noise levels generated during construction will vary depending on the number and type of equipment in use and the distance from construction activities to the receptors. Because construction will occur over a corridor, an analysis was conducted to estimate sound levels when construction occurs at the

closest point to receptors, and when construction occurs at the furthest point from receptors. In this manner, a range of noise levels that may occur for each phase of construction were calculated. The aforementioned Riverside Community Center is located approximately 100 feet from the nearest point of the construction corridor. With one exception, the closest residences are located on Chicago Avenue east of the Project. The closest residence on Chicago Avenue is located approximately 150 feet from the Project. The Riverside Community Center and the closest residence on Chicago Avenue are located approximately 1,300 feet and 2,200 feet, respectively, from the furthest point of the Project.

Typical usage factors for this type of construction equipment were applied to the sound levels in Table 2 in order to arrive at the average sound level that may occur during a typical workday. Usage factors account for the fact that equipment are not always operated at full throttle conditions, and are not used for an entire workday (FHWA, 2006).

Provided in Table 3, Construction Noise Level Ranges by Phase (dBA) – Closest to Furthest Approaches to Receptors, is a summary of the range of sound levels that were calculated to occur during each construction phase.

	Receptor						
Construction Phase	Riverside Shelter	Closest Chicago Avenue Residence					
Mobilization	39 - 68	34 - 64					
Clear and Grub Existing Channel	45 - 71	40 - 67					
Excavate Channel	49 – 74	44 - 70					
Install Mainline Storm Drain – Off Street	41 – 74	36 - 70					
Install Mainline Storm Drain – In Street	50 - 74	45 - 70					
Install Manholes	41 – 77	36 - 73					
Base Pave Storm Drain Trench	45 - 72	40 - 68					
Install Connector Pipe	46 – 77	41 – 73					
Construct Catch Basins	45 - 71	40 - 67					
Final Paving	46 - 69	41 - 65					
Mass Grade Channel Site	49 - 75	44 – 71					
Cleanup and Final Demobilization	42 - 64	37 - 60					
Note: Calculated sound levels are for closest an	d furthest approach to the near	rest receptor.					

 Table 3: Construction Noise Level Ranges by Phase (dBA) – Closest to Furthest

 Approaches to Receptors

Table 3 shows that construction noise levels will vary widely depending on the equipment in operation and the distance that construction occurs from a given receptor. Construction noise levels will be relatively low when construction occurs furthest from any receptor, 50 dBA or less for the Riverside Shelter and 45 dBA or less for the residences on Chicago Avenue. These sound levels are typical of quiet urban areas (see Table 1). When construction occurs at the closest approach, sound levels of 64 dBA to 77 dBA are shown for the Riverside Shelter and 60 dBA to 73 dBA for the Chicago Avenue residences. The highest of these sound levels are typical for noisy urban areas, and would occur only when equipment are at their closest approach to the receptor. Detailed supporting data derivation spreadsheets for each phase of construction are provided in Attachment A.

A separate analysis was conducted for a single residence that is closer to the Project than residences on Chicago Avenue. The single residence is located at 1732 Massachusetts Avenue adjacent to the southeastern most end of the Project, approximately 25 feet from the edge of the construction corridor. At this distance, sound levels would be approximately 12 dBA higher than the maximum sound levels presented previously. However, this would only occur for brief periods when a piece of equipment is in operation at the very edge of the corridor adjacent to the residence. Indoor noise levels can be expected to be from 12 dBA to 24 dBA lower with windows at the residence open or closed, respectively (USEPA, 1978). Heavy equipment operation in proximity to the closest residence would be intermittent and short term due to this receptor's location adjacent to the southeastern most end of the Project. Construction activities within 100 feet of the closest residence would take place on several occasions during the approximate 6-month construction period, with work lasting from a few hours each occasion to a day or two each occasion.

Construction is scheduled to occur during the allowable hours set forth in the City of Riverside noise ordinance, and as such, noise levels generated would be in compliance with the City noise ordinance. With the exception of one residence adjacent to the southeastern most end of the Project, the highest calculated construction noise levels are likely in the range of the existing ambient conditions in the area (noisy urban areas). Furthermore, construction noise levels for an extended period of time. Impacts are therefore anticipated to be less than significant.

### **Vibration Analysis**

The California Department of Transportation has a guidance document entitled "Transportationand Construction-Induced Vibration Guidance Manual" that provides practical methodologies on addressing vibration issues associated with the construction, operation, and maintenance of California Department of Transportation projects. Continuous/frequent intermittent vibration sources may be significant when their peak particle velocity (PPV) exceeds 0.1 inch per second. Table 4 provides some more specific criteria for human annoyance due to vibration. Though the guidance is non-enforceable, it provides the basis for evaluating potential vibration from the proposed Project.

Human Response	PPV (inches/second)
Severe	2.0
Strongly Perceptible	0.9
Distinctly Perceptible	0.24
Barely Perceptible	0.035
Source: Caltrans, 2004	

### Table 4: Human Response to Transient Vibration

Table 5 provides vibration source levels for the types of project construction equipment with the potential to generate the highest levels of ground-borne vibration during project construction, normalized to distances of 100 feet and 150 feet.

Table 5.	Vibration	Source I	evels for	Construction	Faui	nment at	100 1	Feet and	150 Feet
Table 5:	vibration	Source	Levels for	Construction	Equi	ршені аі	100 1	reet and	150 reet

Equipment	PPV at 100 Feet	PPV at 150 Feet
Large Bulldozer	0.011	0.006
Loaded Truck	0.010	0.005
Small Bulldozer	0.000	0.000
Source: FTA, 2006	1	1

Referring to the data in Table 5, vibration levels would be well below the barely perceptible response level, even for the closest approach of any construction equipment to a receptor. Therefore, these vibration levels would be less than significant.

At the closest residence on Massachusetts Avenue, maximum vibration levels up to 0.089 PPV could occur with the maximum based on a large bulldozer operating at the closest edge of the Project. This level would be above the barely perceptible response level provided in Table 4, but below the distinctly perceptible response level. As provided in Table 5, vibration levels fall off rapidly with distance, such that at 100 feet, they fall to below the barely perceptible response level. Heavy equipment operation in proximity to the closest residence would be intermittent and short term due to this receptor's location adjacent to the southeastern most end of the Project. Construction activities within 100 feet of the closest residence would take place on several occasions during the approximate 6-month construction period, with work lasting from a few hours each occasion to a day or two at each occasion. Therefore, these vibration levels would be less than significant.

## **3.0 REFERENCES**

Bolt, Beranek and Newman, Inc. (BBN)

1977 Prediction of Noise From Power Plant Construction. Prepared for Empire State Electric Energy Research Corporation.

California Department of Transportation (Caltrans).

2004 Transportation- and construction-induced vibration guidance manual. Noise, Vibration, and Hazardous Waste Management Office, Sacramento, CA. Prepared by Jones & Stokes.

Federal Highway Administration (FHWA). 2006 FHWA Roadway Construction Noise Model User's Guide.

- Federal Transit Administration (FTA).
  - 2006 Transit Noise and Vibration Impact Assessment. Office of Planning and Environment.
- Riverside General Plan 2025. 2007. Noise Element.
- Riverside Municipal Code.

Title 7. Noise Control.

United States Environmental Protection Agency (USEPA)

1978 Protective Noise Levels. Office of Noise Abatement & Control. Report Number EPA 550/9-79-100. Washington, D. C. 20460.

### ATTACHMENT A: NOISE CALCULATION SPREADSHEETS

Riverside County Flood Cont	rol - Univers	sity Wash							
Construction Equipment Sou	nd Levels								
All Sound Levels in dBA									
Summary of All Equipment T	o Be Utilize	d During Project							
					Sound Level at River	side Community Shelter	Sound Level at Chicac	jo Avenue Residences	
Equipment	SPL at 50 Feet	Percentage of Time in Operation	Usage Factor	50 Foot Sound Level Adjusted dBA for an 8 hour day	Closest Approach (100 feet)	Furthest Distance (1,300 Feet)	Closest Approach (150 feet)	Furthest Distance (2,200 Feet)	Equipment and Usage Factor Source
Air Compressor	78	40	-4	74	68	46	64	41	FHWA Roadway Construction Model, 2006
Backhoe	78	40	-4	74	68	46	64	41	FHWA Roadway Construction Model, 2006
Cement Mixer	79	40	-4	75	69	47	65	42	FHWA Roadway Construction Model, 2006
Concrete/Industrial Saw	90	20	-7	83	77	55	73	50	FHWA Roadway Construction Model, 2006
Crushing Equipment (85 hp)	80	50	-3	77	71	49	67	44	BBN, 1977 based on hp. Usage Factor Estimated
Dumper/Tender	77	40	-4	73	67	45	63	40	FHWA Roadway Construction Model, 2006
Excavator	81	40	-4	77	71	49	67	44	FHWA Roadway Construction Model, 2006
Forklift (89 hp)	80	20	-7	73	67	45	63	40	BBN, 1977 based on hp. Usage Factor Estimated
Generator Set	81	50	-3	78	72	50	68	45	FHWA Roadway Construction Model, 2006
Grader	85	40	-4	81	75	53	71	48	FHWA Roadway Construction Model, 2006
Loader	79	40	-4	75	69	47	65	42	FHWA Roadway Construction Model, 2006
Paver	77	50	-3	74	68	46	64	41	FHWA Roadway Construction Model, 2006
Plate Compactor	80	20	-7	73	67	45	63	40	FHWA Roadway Construction Model, 2006
Pump	77	50	-3	74	68	46	64	41	FHWA Roadway Construction Model, 2006
Roller	80	20	-7	73	67	45	63	40	FHWA Roadway Construction Model, 2006
Rubber Tired Dozer	82	40	-4	78	72	50	68	45	FHWA Roadway Construction Model, 2006
Rubber Tired Loader	79	40	-4	75	69	47	65	42	FHWA Roadway Construction Model, 2006
Signal Board	70	50	-3	67	61	39	57	34	FHWA Roadway Construction Model, 2006
Surfacing Equipment (254 hp)	85	10	-10	75	69	47	65	42	BBN, 1977 based on hp. Usage Factor Estimated
Sweeper/Scrubber	80	10	-10	70	64	42	60	37	FHWA Roadway Construction Model, 2006
Welder	73	40	-4	69	63	41	59	36	FHWA Roadway Construction Model, 2006
Sources:									
Federal Highway Administration F	Roadway Con	struction Noise Mod	Jel, 2006.						
Bolt, Beranek and Newman, Inc.	1977. Predict	tion of Noise From F	Power Plan	t Construction. Prepared	for Empire State Electric F	nergy Research Corporation			

Riverside County Flood Control -	University Wash						
Construction Equipment Sound Le	evels						
All Sound Levels in dBA							
Phase: Mobilization & CCTV SS							
		Sound Level at Riverside Community Shelter		Sound Level at Chicago Avenue Residences			
Equipment	Number of Each	Adjust for Number (dBA) (1)	Closest Approach (100 feet)	Furthest Distance (1,300 Feet)	Closest Approach (150 feet)	) Furthest Distance (2,200 Feet)	
Air Compressor	1	0	68	46	64	41	
Forklift (89 hp)	1	0	67	45	63	40	
Pump	1	0	68	46	64	41	
Signal Board	1	0	61	39	57	34	

Riverside County Flood Control -	University Wash					
Construction Equipment Sound L	.evels					
All Sound Levels in dBA						
Phase: Clear and Grub Existing	Channel					
			Sound Level at Rivers	ide Community Shelter	Sound Level at Chicag	go Avenue Residences
Equipment	Number of Each	Adjust for Number (dBA) (1)	Closest Approach (100 feet)	Furthest Distance (1,300 Feet)	Closest Approach (150 feet)	Furthest Distance (2,200 Feet)
Backhoe	2	3	71	49	67	44
Dumper/Tender	1	0	67	45	63	40
Excavator	1	0	71	49	67	44
Rubber Tired Loader	1	0	69	47	65	42
(1) Represents the dBA adjustment to	account for the number	of each source (e.g., if 2 s	sources are in use, the so	und level is 3 dBA more than	if one source is in use).	

Riverside County Flood Contro	ol - University Wash					
Construction Equipment Soun	d Levels					
All Sound Levels in dBA						
Phase: Over-Ex Channel						
			Sound Level at River	side Community Shelter	Sound Level at Chicag	go Avenue Residences
Equipment	Number of Each	Adjust for Number (dBA) (1)	Closest Approach (100 feet)	Furthest Distance (1,300 Feet)	Closest Approach (150 feet)	Furthest Distance (2,200 Feet)
Backhoe	2	3	71	49	67	44
Excavator	2	3	74	52	70	47
(1) Represents the dBA adjustmer	nt to account for the number	of each source (e.g., if 2	sources are in use, the so	und level is 3 dBA more than	if one source is in use).	

Riverside County Flood Control -	University Wash							
Construction Equipment Sound L	_evels							
All Sound Levels in dBA								
Phase: Mainline SD (90") - Off St	treet							
			Sound Level at Rivers	side Community Shelter		Sound Level at Chica	go Avenue Residences	
Equipment	Number of Each	Adjust for Number (dBA) (1)	Closest Approach (100 feet)	Furthest Distance (1,300 Feet)		Closest Approach (150 feet)	Furthest Distance (2,200 Feet)	
Dumper/Tender	1	0	67	45		63	40	
Excavator	2	3	74	52		70	47	
Generator Set	1	0	72	50		68	45	
Welder	1	0	63	41		59	36	
(1) Represents the dBA adjustment to	1) Represents the dBA adjustment to account for the number of each source (e.g., if 2 sources are in use, the sound level is 3 dBA more than if one source is in use).							

Riverside County Flood Control -	University Wash					
Construction Equipment Sound Levels						
All Sound Levels in dBA						
Phase: Mainline SD (90") - In Str	reet					
			Sound Level at Riverside Community Shelter		Sound Level at Chicag	go Avenue Residences
Equipment	Number of Each	Adjust for Number (dBA) (1)	Closest Approach (100 feet)	Furthest Distance (1,300 Feet)	Closest Approach (150 feet)	Furthest Distance (2,200 Feet)
Excavator	2	3	74	52	70	47
Rubber Tired Loader	2	3	72	50	68	45
(1) Represents the dBA adjustment to	o account for the number	of each source (e.g., if 2 s	sources are in use, the so	und level is 3 dBA more than	if one source is in use).	

Riverside County Flood Control	I - University Wash						
Construction Equipment Sound Levels							
All Sound Levels in dBA							
Phase: Install Manholes							
			Sound Level at Rivers	side Community Shelter		Sound Level at Chica	go Avenue Residences
Equipment Number of Ead		Adjust for Number (dBA) (1)	Closest Approach (100 feet)	Furthest Distance (1,300 Feet)		Closest Approach (150 feet)	Furthest Distance (2,200 Feet)
Air Compressor	1	0	68	46		64	41
Concrete/Industrial Saw	1	0	77	55		73	50
Cement Mixer	1	0	69	47		65	42
Plate Compactor	1	0	67	45		63	40
Welder	1	0	63	41		59	36
(1) Represents the dBA adjustment	t to account for the number	of each source (e.g., if 2	sources are in use, the so	und level is 3 dBA more thar	n if	one source is in use).	

Riverside County Flood Control - University Wash Construction Equipment Sound Levels							
All Sound Levels in dBA							
Phase: Base Pave SD Trench							
			Sound Level at Rivers	side Community Shelter	jo Avenue Residences		
Equipment	Number of Each	Adjust for Number (dBA) (1)	Closest Approach (100 feet)	Furthest Distance (1,300 Feet)		Closest Approach (150 feet)	Furthest Distance (2,200 Feet)
Paver	1	0	68	46		64	41
Roller	1	0	67	45		63	40
Rubber Tired Dozer	1	0	72	50		68	45
(1) Represents the dBA adjustment to account for the number of each source (e.g., if 2 sources are in use, the sound level is 3 dBA more than if one source is in use).							

Riverside County Flood Control - University Wash							
Construction Equipment Sound Levels							
All Sound Levels in dBA							
Phase: Install Connector Pipe							
			Sound Level at Riverside Community Shelter		Sound Level at Chicago Avenue Residences		
Equipment	Number of Each	Adjust for Number (dBA) (1)	Closest Approach (100 feet)	Furthest Distance (1,300 Feet)		Closest Approach (150 feet)	Furthest Distance (2,200 Feet)
Air Compressor	1	0	68	46		64	41
Cement Mixer	1	0	69	47		65	42
Concrete/Industrial Saw	1	0	77	55		73	50
Excavator	1	0	71	49		67	44
1) Represents the dBA adjustment to account for the number of each source (e.g., if 2 sources are in use, the sound level is 3 dBA more than if one source is in use).							

Riverside County Flood Control	- University Wash						
Construction Equipment Sound	Levels						
All Sound Levels in dBA							
Phase: Construct CB							
		Sound Level at Riverside Community Shelter			Sound Level at Chicago Avenue Residences		
Equipment	Number of Each	Adjust for Number (dBA) (1)	Closest Approach (100 feet)	Furthest Distance (1,300 Feet)		Closest Approach (150 feet)	Furthest Distance (2,200 Feet)
Air Compressor	1	0	68	46		64	41
Cement Mixer	1	0	69	47		65	42
Excavator	1	0	71	49		67	44
Plate Compactor	1	0	67	45		63	40
(1) Represents the dBA adjustment t	to account for the number	of each source (e.g., if 2 s	sources are in use, the so	und level is 3 dBA more than	n if (	one source is in use).	

<b>Riverside County Flood Control -</b>	University Wash							
Construction Equipment Sound Levels								
All Sound Levels in dBA								
Phase: Final Pave, Striping								
			Sound Level at Riverside Community Shelter			Sound Level at Chicag	o Avenue Residences	
Equipment	Number of Each	Adjust for Number (dBA) (1)	Closest Approach (100 feet)	Furthest Distance (1,300 Feet)		Closest Approach (150 feet)	Furthest Distance (2,200 Feet)	
Paver	1	0	68	46		64	41	
Surfacing Equipment (254 hp)	1	0	69	47		65	42	
(1) Represents the dBA adjustment to account for the number of each source (e.g., if 2 sources are in use, the sound level is 3 dBA more than if one source is in use).								

Riverside County Flood Control - University Wash							
Construction Equipment Sound Levels							
All Sound Levels in dBA							
Phase: Mass Grade Channel Site							
			Sound Level at Riverside Community Shelter			Sound Level at Chicago Avenue Residence	
Equipment	Number of Each	Adjust for Number (dBA) (1)	Closest Approach (100 feet)	Furthest Distance (1,300 Feet)		Closest Approach (150 feet)	Furthest Distance (2,200 Feet)
Crushing Equipment (85 hp)	1	0	71	49		67	44
Excavator	2	3	74	52		70	47
Grader	1	0	75	53		71	48
1) Represents the dBA adjustment to account for the number of each source (e.g., if 2 sources are in use, the sound level is 3 dBA more than if one source is in use).							

<b>Riverside County Flood Control</b> -	University Wash					
Construction Equipment Sound Levels						
All Sound Levels in dBA						
Phase: Cleanup and Final Demobilization						
			Sound Level at Riverside Community Shelter		Sound Level at Chicago Avenue Residence	
Equipment	Number of Each	Adjust for Number (dBA) (1)	Closest Approach (100 feet)	Furthest Distance (1,300 Feet)	Closest Approach (150 feet)	Furthest Distance (2,200 Feet)
Sweeper/Scrubber	1	0	64	42	60	37
(1) Represents the dBA adjustment to	o account for the number	of each source (e.g., if 2	sources are in use, the so	und level is 3 dBA more than	if one source is in use).	

## COMMENTS FROM

## UNION PACIFIC RAILROAD COMPANY

From: Rheiner, Thomas [mailto:tmrheiner@rcflood.org]
Sent: Thursday, April 17, 2014 1:36 PM
To: Stenger, Joe
Cc: Meals, Robert; Degaga, Mekbib; McKibbin, Stuart; Flanigan, Kris
Subject: FW: University Wash Channel, Stage 3 (Project)

#### Joe,

Anna Palmer phoned me yesterday with general questions about the project location and description. It appears that the Notice to adopt the MND reached her in Omaha. I provided the more local UPRR staff that have been involved in this project to this point, so she could coordinate with them.

If any other comments are sent here, I'll pass them along to you.

Thanks,

Tom

From: Anna C. Palmer [mailto:acpalmer@up.com]
Sent: Thursday, April 17, 2014 11:22 AM
To: Rheiner, Thomas
Cc: Chris T. Keckeisen
Subject: RE: University Wash Channel, Stage 3 (Project)

Hi Tom,

Thank you for your telephone message and email. It is my understanding from your message that page 12 of the CEQA Initial Study & Mitigated Negative Declaration includes the following: The Project may require an easement or other agreement with UP to cross an existing railroad right-of-way in or adjacent to Massachusetts Ave. Since we do not have all of the details regarding potential crossings or encroachments relating to the Project, we are submitting the following written comments:

Any Project work near, on, over or under UP property or tracks will require coordination with and approval by UP Engineering prior to the commencement of work and may include an application process wherein agreements are granted at the discretion of UP. All inquiries relating to the Project should be forwarded to Chris Keckeisen, Senior Manager of Industrial and Public Projects. I am copying Chris, so that you have his email address.

Please let me know if you have any questions.

Sincerely yours,

Anna C. Palmer Union Pacific Railroad Company 1400 Douglas STOP 1580 Omaha, NE 68179 Phone: 402-544-0425

#### acpalmer@up.com

From "Rheiner, Thomas" <<u>tmrheiner@rcflood.org</u>> "Anna C. Palmer" <<u>acpalmer@up.com</u>> Date 04/16/2014 03:58 PM Subject RE: University Wash Channel, Stage 3

#### Hi Anna,

The persons who we have been in contact with regarding the University Wash channel project are:

Kenneth K. Tom Mgr Spec Proj Ind & Public Union Pacific Railroad Company 2015 South Willow Avenue Bloomington, CA 92316 Tele:(909)685-2288 EFax(402)271-4005 Email:ktom@up.com

Kyle Robe Project Manager D 402.778.5046 C 402.250.0881 kyle.robe@aecom.com

AECOM 12020 Shamrock Plaza, Suite 200 Omaha, NE 68154 www.aecom.com

Dave Schuldt. DSCHULDT@up.com

If I can answer other questions regarding the project, please let me know.

Thanks, Tom

### Tom Rheiner

Riverside County Flood Control and Water Conservation District 1995 Market Street, Riverside, CA 92501 Ph: 951.955.4643

From: Anna C. Palmer [mailto:acpalmer@up.com] Sent: Wednesday, April 16, 2014 11:27 AM To: Rheiner, Thomas

#### Subject: University Wash Channel, Stage 3

Tom,

I look forward to speaking with you this afternoon.

Sincerely,

Anna C. Palmer Union Pacific Railroad Company 1400 Douglas STOP 1580 Omaha, NE 68179 Phone: 402-544-0425 acpalmer@up.com \*\*

This email and any attachments may contain information that is confidential and/or privileged for the sole use of the intended recipient. Any use, review, disclosure, copying, distribution or reliance by others, and any forwarding of this email or its contents, without the express permission of the sender is strictly prohibited by law. If you are not the intended recipient, please contact the sender immediately, delete the e-mail and destroy all copies.

\*\*

This email and any attachments may contain information that is confidential and/or privileged for the sole use of the intended recipient. Any use, review, disclosure, copying, distribution or reliance by others, and any forwarding of this email or its contents, without the express permission of the sender is strictly prohibited by law. If you are not the intended recipient, please contact the sender immediately, delete the e-mail and destroy all copies.

## COMMENTS FROM

## SOBOBA BAND OF LUISENO INDIANS

April 16, 2014



Attn: Kris Flanigan Riverside County Flood Control and Water Conservation District 1995 Market Street Riverside, CA 92501

### Re: Initial Study and Notice of Intent to Adopt a Mitigated Negative Declaration for the University Wash Channel, Stage 3 Project

The Soboba Band of Luiseño Indians received your Notice of Availability of the Initial Study and Intent to Adopt a Mitigated Negative Declaration for the University Wash Channel, Stage 3 Project. The Soboba Band Has reviewed this document and we have specific concerns regarding MM CUL 1. The tribe is requesting further consultation regarding this mitigation measure, and wishes to discuss this issue during a face-face meeting between the Soboba Band of Luiseño Indian's Cultural Resources Department and a representative from the Riverside County Flood Control and Water Conservation District. Please contact me at your earliest convenience to arrange this meeting.

Sincerely,

Joseph Ontiveros Director of Cultural Resources Søboba Band of Luiseño Indians P.O. Box 487 San Jacinto, CA 92581 Phone (951) 654-5544 ext. 4137 Cell (951) 663-5279 jontiveros@soboba-nsn.gov

官 C 匡 [] [V APR 2 3 2014

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

## **RESPONSES TO COMMENTS**

## RESPONSES TO COMMENTS UNIVERSITY WASH CHANNEL STAGE 3 PROJECT CEQA INITIAL STUDY & MITIGATED NEGATIVE DECLARATION

Two comments were received on the CEQA Initial Study & Mitigated Negative Declaration for the University Wash Channel Stage 3 Project. Comments and responses are presented below and copies of comments are included in Attachment A.

### Comment 1 – Union Pacific (UP) Railroad Company (Anna C. Palmer):

"Any Project work near, on, over or under UP property or tracks will require coordination with and approval by UP Engineering prior to the commencement of work and may include an application process wherein agreements are granted at the discretion of UP. All inquiries relating to the Project should be forwarded to Chris Keckeisen, Senior Manager of Industrial and Public Projects."

### Response 1:

The potential need for an easement or other agreement with UP Railroad is acknowledged on page 12 of the CEQA Initial Study and Mitigated Negative Declaration. Riverside County Flood Control and Water Conservation District (District) staff has been in contact with UP Railroad staff both before and following receipt of this comment to coordinate District plans for the Project. In addition to telephone and email contact with Anna Palmer pursuant to this comment, District staff has been in contact with Kenneth Tom and Dave Schuldt from UP Railroad regarding the Project, as well as Kyle Robe with UP Railroad's consultant. The District will continue to coordinate with UP Railroad and, if required by UP Railroad, the District will submit an application for work on, over, or under UP Railroad property.

### Comment 2 - Soboba Band of Luiseño Indians (Joseph Ontiveros):

"The Soboba Band of Luiseño Indians received your Notice of Availability of the Initial Study and Intent to Adopt a Mitigated Negative Declaration for the University Wash Channel, Stage 3 Project. The Soboba Band has reviewed this document and we have specific concerns regarding MM CUL 1. The tribe is requesting further consultation regarding this mitigation measure, and wishes to discuss this issue during a face-face meeting between the Soboba Band of Luiseño Indian's Cultural Resources Department and a representative from the Riverside County Flood Control and Water Conservation District. Please contact me at your earliest convenience to arrange this meeting."

#### Response 2:

District staff met with Mr. Joseph Ontiveros on May 8, 2014 to discuss the tribe's concerns regarding mitigation measures MM CUL 1. Mr. Ontiveros expressed the following comments and concerns regarding MM CUL 1:

- The instruction that would be required by MM CUL 1 should be specified to include cultural sensitivity training.
- In the event of a discovery, the Soboba Band should be notified so that they can evaluate the discovery.
- Native American discoveries, if any, should not undergo any type of destructive testing.
- Collected pre-historic Native American resources should be curated in either the Western Science Center (Hemet) or the San Bernardino County Museum.
- Focused monitoring by a qualified archeologist was requested for excavation of the earthen channel adjacent to Bauman's Auto Yard as well as spot checking in the open field between the Devoe property and A-1 Grit.

In response to discussions with Mr. Ontiveros, a revised mitigation measure MM CUL 1 is recommended for adoption by decision\_makers to read as follows:

"MM CUL 1: Construction shift foremen, excavation equipment operators and other construction workers with responsibility for observing construction excavations shall be instructed by a representative of the District or its contractor to be observant for the potential occurrence of archaeological resources in the geologic materials encountered, and shall be instructed and authorized to halt excavation in the area immediately and notify the District's Project Engineer if such resources are discovered. Cultural sensitivity shall also be included in such instruction. In the event of a discovery, work in the area shall cease until the discovery is evaluated by a qualified cultural resource specialist. If evaluation by a qualified cultural resource specialist indicates that the discovery may be a significant prehistoric Native American discovery, then the Soboba Band shall be notified pursuant to their request and provided the opportunity to evaluate the discovery. If any discovery is determined to be potentially significant by the cultural resource specialist, then excavation in the area shall be continued only as directed by a qualified cultural resource specialist and in a manner allowing for collection of significant resources and information that may otherwise be affected by the Project. For significant cultural resources, a Research Design and Data Recovery Program may be necessary and would be prepared and carried out to mitigate impacts if needed. Prehistoric Native American Resources, if discovered, shall not be altered by destructive testing. Collected cultural artifacts would be cataloged, and permanently curated with an appropriate institution. Prehistoric Native American Artifacts, if recovered, shall be offered for

curation to the Western Science Center (Hemet) or the San Bernardino County Museum. <u>Artifacts</u> would be analyzed to identify function and chronology as they relate to the history of the area. Faunal material would be identified as to species. A final monitoring report shall be prepared if unanticipated cultural resources are discovered."

District staff consulted with the District's cultural resources consultant, TRC Solutions, Inc. (TRC) regarding the potential value of focused monitoring of excavations adjacent to Baumans's Auto Yard as well as the open field as requested. TRC evaluated historic maps and aerial photographs of these areas and determined that these areas have been extensively disturbed by previous development, especially the area of the channel adjacent to Bauman's Auto Yard. In addition, TRC reviewed the project design drawings and noted that minimal excavation work is planned near the channel. Considering these factors, and considering that there are no recorded prehistoric resources within at least one-half mile, it is the opinion of TRC and District staff that focused monitoring is not warranted. The area is considered to have low sensitivity regarding cultural resources.

Mr. Ontiveros additionally expressed a preference of the tribe for construction worker cultural resources instruction to include field training. District staff and their cultural resource consultant evaluated the potential merits and drawbacks of specifically requiring field training as part of the mitigation measure and have concluded that, considering the limited active excavation area at any given time for this project, to specifically require field training would provide no material benefit and could burden the project with additional logistics. Because there would be no recognizable material benefit, a requirement for field training is not recommended.

Based on comments received from the Soboba Band, District staff recommends that the Initial Study and Mitigated Negative be adopted with errata identified in Attachment B.

ERRATA

# UNIVERSITY WASH CHANNEL, STAGE 3 CEQA INITIAL STUDY & MITIGATED NEGATIVE DECLARATION

## RECOMMENDED ERRATA FOR THE UNIVERSITY WASH CHANNEL STAGE 3 PROJECT CEQA INITIAL STUDY & MITIGATED NEGATIVE DECLARATION

### List of Errata

- 1. Page 2, the Mitigated Negative Declaration page, should be replaced with the Attached Mitigated Negative Declaration page showing the State Clearinghouse Number.
- 2. Bottom of page 5 and top of page 6, MM CUL 1, revise as follows:

"MM CUL 1: Construction shift foremen, excavation equipment operators and other construction workers with responsibility for observing construction excavations shall be instructed by a representative of the District or its contractor to be observant for the potential occurrence of archaeological resources in the geologic materials encountered, and shall be instructed and authorized to halt excavation in the area immediately and notify the District's Project Engineer if such resources are discovered. Cultural sensitivity shall also be included in such instruction. In the event of a discovery, work in the area shall cease until the discovery is evaluated by a qualified cultural resource specialist. If evaluation by a qualified cultural resource specialist indicates that the discovery may be a significant prehistoric Native American discovery, then the Soboba Band shall be notified pursuant to their request and provided the opportunity to evaluate the discovery. If any discovery is determined to be potentially significant by the cultural resource specialist, then excavation in the area shall be continued only as directed by a qualified cultural resource specialist and in a manner allowing for collection of significant resources and information that may otherwise be affected by the Project. For significant cultural resources, a Research Design and Data Recovery Program may be necessary and would be prepared and carried out to mitigate impacts if needed. Prehistoric Native American Resources, if discovered, shall not be altered by destructive testing. Collected cultural artifacts would be cataloged, and permanently curated with an appropriate institution. Prehistoric Native American Artifacts, if recovered, shall be offered for curation to the Western Science Center (Hemet) or the San Bernardino County Museum. Artifacts would be analyzed to identify function and chronology as they relate to the history of the area. Faunal material would be identified as to species. A final monitoring report shall be prepared if unanticipated cultural resources are discovered."

3. Bottom of page 28 and top of page 29, MM CUL 1, revise same as above.