

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

357B



FROM: General Manager-Chief Engineer

SUBMITTAL DATE:
April 26, 2011

SUBJECT: Resolution No. F2011-02 Certifying Environmental Impact Report, Mitigation Measures, Statement of Overriding Considerations, and Approving the Project Final Design for the Eagle Canyon Dam and Debris Basin (Project No. 6-0-00190)

RECOMMENDED MOTION:

Certify that:

1. The Final Environmental Impact Report ("EIR") (SCH#2009061065) for the Eagle Canyon Dam and Debris Basin ("Project") has been completed in compliance with CEQA; and
2. The Final EIR was presented to the Board and that the Board reviewed and considered the information contained in the Final EIR prior to approving the project; and
3. The Final EIR reflects the Board's independent judgment and analysis; and

Continued on Page 2.

BACKGROUND:

Continued on Page 2.

FINANCIAL:

Steve Thomas
 FOR **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*
 Michael/R. Shetler

County Executive Office Signature

MINUTES OF THE FLOOD CONTROL AND WATER CONSERVATION DISTRICT

On motion of Supervisor Ashley, seconded by Supervisor Stone and duly carried, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Buster, Stone, Benoit and Ashley
 Nays: None
 Absent: Tavaglione
 Date: April 26, 2011
 xc: Flood Recorder, State Planning

Kecia Harper-Ihem
 Clerk of the Board
 By: *Kecia Harper-Ihem*
 Deputy

Prev. Agn. Ref.: District: 4 **Agenda Number:** 11.3

ATTACHMENTS FILED WITH THE CLERK OF THE BOARD

FOR UNAPPROVED COUNTY COUNSEL
 BY: *[Signature]* 4/13/11
 DATE
 BY: *[Signature]* TIFANY N. NORTH

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

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

SUBJECT: Resolution No. F2011-02 Certifying Environmental Impact Report, Mitigation Measures, Statement of Overriding Considerations, and Approving the Project Final Design for the Eagle Canyon Dam and Debris Basin (Project No. 6-0-00190)

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Page 2

RECOMMENDED MOTION: Continued

Further, that the Board of Supervisors Adopt Resolution No. F2011-02 which:

1. finds that the environmental impacts of the Project have been adequately addressed in the Final EIR (SCH#2009061065);
2. selects the Preferred Project Alternative as the preferred Project, incorporates mitigation measures, and includes findings and a statement of overriding considerations;
3. finds that the project is in compliance with the Coachella Valley MSHCP;
4. approves the Project Final Design and authorizes the District to proceed therewith; and
5. directs the Clerk of the Board to deliver 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:

The Eagle Canyon Dam and Debris Basin Project (hereinafter referred to as the "Project") is located in Zone 6 near the intersection of East Palm Canyon Drive (Highway 111) and Canyon Plaza Drive, partially within the cities of Cathedral City and Palm Springs, and partially within the tribal lands of the Agua Caliente Band of Cahuilla Indians, California.

The proposed Project involves the construction of an earthen dam, debris catchment, emergency overflow spillway and an underground storm drain for flood detention, debris retention and stormwater conveyance; and consists of the construction, operation, and maintenance of the dam, debris basin, and approximately 3,900 lineal feet of underground storm drain system.

This certification is in accordance with the requirements of CEQA.

2
3 **RESOLUTION NO. F2011-02**
4 **CERTIFYING ENVIRONMENTAL IMPACT REPORT, MITIGATION MEASURES,**
5 **STATEMENT OF OVERRIDING CONSIDERATIONS, AND APPROVING THE**
6 **PROJECT FINAL DESIGN OF THE**
7 **EAGLE CANYON DAM AND DEBRIS BASIN PROJECT**

8 WHEREAS, the Eagle Canyon Dam and Debris Basin Project (hereinafter referred to as the
9 "Project") is located in Zone 6, partially within the cities of Cathedral City and Palm Springs, and
10 partially within the tribal lands of the Agua Caliente Band of Cahuilla Indians, California; and

11 WHEREAS, the proposed Project site is located near the intersection of East Palm Canyon Drive
12 (Highway 111) and Canyon Plaza Drive; and

13 WHEREAS, the proposed Project involves the construction of an earthen dam, debris catchment,
14 emergency overflow spillway and an underground storm drain for flood detention, debris retention and
15 stormwater conveyance; and consists of the construction, operation, and maintenance of the dam, debris
16 basin, and approximately 3,900 lineal feet of underground storm drain system; and

17 WHEREAS, a Section 18 Hearing was held on November 8, 1983 to adopt the Revised Master
18 Drainage Plan for the Palm Springs Area in which Eagle Canyon Dam and Debris Basin is a component;
19 and

20 WHEREAS, a portion of the Project is located within the Plan Area of the Coachella Valley
21 Multiple Species Habitat Conservation Plan (CVMSHCP) and is subject to the requirements of the
22 CVMSHCP; and

23 WHEREAS, a portion of the Project in Section 32, Township 4 South, Range 5 East is located
24 within lands under the jurisdiction of the Agua Caliente Tribal Habitat Conservation Plan (Tribal HCP)
25 and is subject to the requirements of the Tribal HCP; and

26 WHEREAS, all procedures of the California Environmental Quality Act ("CEQA") and
27 Riverside County CEQA implementing procedures have been satisfied, and an Environmental Impact
28 Report (State Clearing House No. 2009061065) was prepared in connection with the Project which is

BY: [Signature] COUNTY COUNSEL
DATE: 4/13/11
TIFANY N. NORRIS

1 sufficiently detailed so that all of the potentially significant effects of the project on the environment and
2 measures necessary to avoid or substantially lessen such effects have been evaluated in accordance with
3 the above-referenced Act and Procedures; and

4 WHEREAS, the Final Environmental Impact Report ("EIR") thoroughly addresses the
5 environmental effects of implementing the Project, including the construction, operation and maintenance
6 of the various improvements identified therein; and

7 WHEREAS, the Board has selected Alternative 1: Preferred Project Alternative, as described in
8 the Final EIR, as the preferred Project for approval; and

9 WHEREAS, the Mitigation Measure Summary and the Mitigation Monitoring/Reporting Program
10 Table, which are attached hereto as Exhibit "A" and incorporated herein by this reference, summarize the
11 potential environmental impacts of the Project and the mitigation measures to be incorporated therein; and

12 WHEREAS, the Board of Supervisors of the Riverside County Flood Control and Water
13 Conservation District ("District") is acting as lead agency under the California Environmental Quality Act
14 (hereinafter referred to as "CEQA") and the U.S. Army Corps of Engineers ("Corps") is the lead Federal
15 agency for this project under the National Environmental Policy Act ("NEPA"); and

16 WHEREAS, the District and the Corps agreed to prepare the Environmental Impact Report jointly
17 for the sake of efficiency and to avoid duplication of effort; and

18 WHEREAS, the Final EIR, the Mitigation Measures and the Mitigation Monitoring/Reporting
19 Program are incorporated herein by this reference in their entirety; and

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

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

24 NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED by the
25 Board of Supervisors of the Riverside County Flood Control and Water Conservation District, State of
26 California, in regular session assembled on April 26, 2011, based upon the evidence and testimony
27 presented on the matter, both written and oral, including the Final EIR, that:

1 1. The portion of the Project located within the Plan Area of the Coachella Valley Multiple
2 Species Habitat Conservation Plan (CVMSHCP) is not located within or adjacent to a
3 Conservation Area set forth in and established by the CVMSHCP and, therefore, is
4 consistent with Sections 4, 4.4, 4.5 and 9 of the CVMSHCP.

5 2. The environmental effects of the Project have been adequately addressed in the Final EIR.

6 3. The following potential environmental impacts associated with the Project are not
7 considered significant:

- 8 • Agriculture
- 9 • Land Use/Planning
- 10 • Mineral Resources
- 11 • Population and Housing
- 12 • Public Services

13 4. The following potential environmental impacts associated with the Preferred Project
14 Alternative are potentially significant unless otherwise indicated, but each of these impacts
15 will be avoided or substantially reduced to a less than significant level, by the identified
16 mitigation measures:

17 A. AIR QUALITY

18 Potential Impact:

19 The Project's short-term construction emissions were found to be above the
20 South Coast Air Quality Management District (SCAQMD) significance
21 thresholds for PM₁₀ and PM_{2.5}. However, because the temporary emission
22 will be limited to the short-term construction activities only, and not result
23 in long-term emissions, potential impacts were found to be less than
24 significant after mitigation measures are incorporated.

25 Implementing mitigation measures AQ-1 through AQ-3 will reduce impacts
26 from construction-related activities to a less than significant level.

27 The Preferred Project Alternative would not exceed the SCAQMD's
28 threshold of significance with mitigation; therefore, the Preferred Project

1 Alternative is consistent with the *2007 Air Quality Management Plan* and
2 the *2003 Coachella Valley PM₁₀ State Implementation Plan*. The Preferred
3 Project Alternative is also consistent with the Palm Springs and Cathedral
4 City General Plans. Therefore, this Alternative is considered less than
5 significant.

6 The Board finds that the mitigation measures listed below will reduce the
7 Project's short term impacts to air quality to less than significant levels.

8 Mitigation:

9 The Mitigation Measures in Section III – Air Quality of the Final EIR, as
10 described by Exhibit "A" attached hereto, are hereby incorporated by
11 reference.

12 B. BIOLOGICAL RESOURCES

13 Potential Impact

14 Impact to the Coachella Valley milk-vetch would be less than significant
15 because previous focused surveys determined the absence of the species and
16 only marginally suitable habitat exists on site.

17 The loss of active nests, including burrowing owl nests, would be mitigated
18 to a level considered less than significant with implementation of Mitigation
19 Measures BIO-4 and BIO-5.

20 Impacts to peninsular bighorn sheep would be temporary and mitigated to a
21 level considered less than significant with implementation of Mitigation
22 Measures BIO-1, BIO-2 and BIO-3.

23 Grading activities could impact open wash habitat. This impact would be
24 reduced to a level considered less than significant with implementation of
25 Mitigation Measure BIO-6.

26 The Board finds that the mitigation measures listed below will reduce the
27 Project's potential impacts to biological resources to a less than significant
28 level.

1 Mitigation

2 The Mitigation Measures in Section III - Biological Resources of the Final
3 EIR, as described by Exhibit "A" attached hereto, are hereby incorporated
4 by reference.

5 C. CULTURAL RESOURCES

6 Potential Impact

7 While no evidence of historical or archaeological resources were identified
8 during the records search or the reconnaissance survey, it is possible that
9 historical or archaeological resources could be inadvertently unearthed
10 during grading activities. This potential impact, however, would be less
11 than significant with implementation of Mitigation Measure CUL-1.

12 While no evidence of formal burial sites was noted within the project area,
13 it is possible that human remains could be discovered during grading
14 activities. This potential impact would be less than significant with
15 implementation of Mitigation Measure CUL-2.

16 The Board finds that the mitigation measures listed below will reduce the
17 Project's potential impacts to unknown buried cultural resources to a less
18 than significant level.

19 Mitigation

20 The Mitigation Measures in Section III - Cultural Resources of the Final
21 EIR, as described by Exhibit "A" attached hereto, are hereby incorporated
22 by reference.

23 D. GEOLOGY

24 Potential Impact

25 The Preferred Project Alternative may expose people or structures to
26 potential substantial adverse effects involving landslides; therefore,
27 implementation of Mitigation Measures GEO-1, GEO-2, and GEO-3 would
28 be required to lower the level of significance.

1 The Preferred Project Alternative is located in an area that is moderately
2 susceptible to liquefaction due to the nature of the soils. Groundwater has
3 not been encountered at this site, therefore, the liquefaction potential at the
4 site is considered low. Liquefaction-related deformation is possible in the
5 unlikely event that an earthquake occurs when the basin contains water and
6 the soil beneath the dam is saturated. Implementation of appropriate
7 structural design methods under Mitigation Measures GEO-4 would be
8 required to lower the level of significance.

9 The Preferred Project Alternative is not located within a coastal area 20 feet
10 or less above sea level; therefore, no impacts are associated with inundation
11 from a tsunami. The mitigated risk of a seiche while the reservoir is full is
12 considered less than significant with implementation of Mitigation Measure
13 GEO-5.

14 Soil erosion would occur under the Preferred Project Alternative. Correct
15 implementation of erosion control measures in accordance with Mitigation
16 Measure GEO-6 are expected to reduce the impact resulting from erosion to
17 less than significant.

18 The Board finds that the mitigation measures listed below will reduce the
19 Project's potential impacts to Geology/Soils to a less than significant level.

20 Mitigation

21 The Mitigation Measures in Section III – Geology/Soils Resources of the
22 Final EIR, as described by Exhibit "A" attached hereto, are hereby
23 incorporated by reference.

24 E. HYDROLOGY AND WATER QUALITY

25 Potential Impact

26 Water quality impacts to the unnamed stream and West Cathedral Channel
27 during construction of the dam and storm drain extension from the dam to
28 the new outfall into West Cathedral Channel are anticipated. However, with

1 implementation of CWA Section 401 Water Quality Certification
2 compliance as described in Mitigation Measure HYD-1, less than
3 significant impacts would occur to the unnamed stream and West Cathedral
4 Channel and, ultimately, to the Coachella Valley Stormwater Channel and
5 the Salton Sea.

6 During construction of the Preferred Project Alternative there is the
7 potential for significant impacts to downstream water bodies from erosion
8 and siltation. After incorporation of Mitigation Measure HYD-3 and HYD-
9 4, which requires that the project implement appropriate BMPs to prevent
10 erosion and minimize siltation, less than significant impacts are anticipated.

11 The Board finds that the mitigation measures listed below will reduce the
12 Project's potential impacts to Hydrology and Water Quality to a less than
13 significant level.

14 Mitigation

15 The Mitigation Measures in Section III – Hydrology and Water Quality of
16 the Final EIR, as described by Exhibit "A" attached hereto, are hereby
17 incorporated by reference.

18 F. HAZARDS AND HAZARDOUS MATERIALS

19 Potential Impact

20 Although the Preferred Project Alternative project site is not included on a
21 list of hazardous materials sites compiled pursuant to Government Code
22 Section 65962.5, data shows that hazardous materials are located within the
23 Preferred Project Alternative site and would require removal. Adherence to
24 the proposed Mitigation Measures HAZ-1 and HAZ-2 below would reduce
25 impacts associated with hazardous materials identified onsite to less than
26 significant levels.

27 The construction of the Preferred Project Alternative would not impair
28 implementation of or physically interfere with an adopted emergency

1 response plan or emergency evacuation plan with implementation of
2 Mitigation Measures TRA-3 through TRA-5.

3 The Board finds that the mitigation measures listed below will reduce the
4 Project's potential impacts to Hazards and Hazardous Materials to a less
5 than significant level.

6 Mitigation

7 The Mitigation Measures in Section III - Hazards and Hazardous Materials
8 and Traffic and Circulation of the Final EIR, as described by Exhibit "A"
9 attached hereto, are hereby incorporated by reference.

10 G. NOISE

11 Potential Impact

12 Demolition, grading, trenching and paving would increase the short-term
13 noise levels. However, there are no sensitive receptors in the immediate
14 vicinity of the proposed project. Thus, construction noise associated with
15 the proposed project would not expose surrounding sensitive receptors to
16 construction noise levels in excess of the Speech Interference Criteria (65
17 dBA) during construction. Implementation of the recommended Mitigation
18 Measure NOI-1 would serve to further reduce exposure and would
19 minimize impacts from construction noise and would ensure that impacts
20 are reduced to a less than significant level.

21 With implementation of the Preferred Project Alternative and Mitigation
22 Measure NOI-1, the effect on longer term (hourly or daily) ambient noise
23 levels would be minimal. As a result, sensitive receptors would not be
24 exposed to significant construction noise levels over an extended period of
25 time.

26 Operational noise is anticipated to be less than significant, because only
27 periodic maintenance adjacent to non-sensitive land uses would be
28 conducted.

1 The Board finds that the mitigation measures listed below will reduce the
2 Project's potential impacts to Noise to a less than significant level.

3 Mitigation

4 The Mitigation Measures in Section III - Noise of the Final EIR, as
5 described by Exhibit "A" attached hereto, are hereby incorporated by
6 reference.

7 H. RECREATION

8 Potential Impact

9 The installation of the proposed pipeline as a part of the Preferred Project
10 Alternative could temporarily impact the proposed bike lanes on Highway
11 111 with implementation of Mitigation Measure REC-1, however, the
12 impacts upon Recreation and Recreational Facilities would be less than
13 significant.

14 The Board finds that the mitigation measures listed below will reduce the
15 Project's potential impacts to Recreation to a less than significant level.

16 Mitigation

17 The Mitigation Measures in Section III - Recreation of the Final EIR, as
18 described by Exhibit "A" attached hereto, are hereby incorporated by
19 reference.

20 I. TRAFFIC AND CIRCULATION

21 Potential Impact

22 Implementation of the Preferred Project Alternative would result in
23 blockage of turning access on the peak hour service level at Palm Canyon
24 Drive/Auto Park Drive and Palm Canyon Drive/Perez Road intersections.
25 However, these intersections would continue to operate at acceptable levels
26 of service during the peak hours while blocked traffic is diverted from one
27 intersection to the other. Implementation of a traffic control/management
28 plan and a public information program during construction would minimize

1 the effects of the construction activities on roadway capacity reduction and
2 level of service. Therefore, with implementation of Mitigation Measures
3 TRA-1 and TRA-2, impacts associated with the Preferred Project
4 Alternative would be less than significant.

5 Emergency access impacts to the commercial properties that take access
6 from the two signalized intersections affected by the pipeline construction
7 would be considered less than significant with mitigation. A temporary
8 detour plan would need to be implemented to provide emergency access
9 while construction activities are taking place at Palm Canyon Drive/Perez
10 Road and at Palm Canyon Drive/Auto Park Drive. The effects of the project
11 construction activities on emergency access can be minimized by
12 implementing Mitigation Measures TRA-3 through TRA-5.

13 The Board finds that the mitigation measures listed below will reduce the
14 Project's potential impacts to Traffic and Circulation to a less than
15 significant level.

16 Mitigation

17 The Mitigation Measures in Section III - Traffic and Circulation of the Final
18 EIR, as described by Exhibit "A" attached hereto, are hereby incorporated
19 by reference.

20 J. PUBLIC SERVICE AND UTILITIES

21 Potential Impact

22 The Preferred Project Alternative includes the disposal of onsite hazardous
23 waste. Construction activities will generate various types of solid waste,
24 such as litter and miscellaneous construction waste which would require
25 disposal in a landfill. The operation and maintenance of the earthen dam are
26 not expected to generate significant amounts of solid waste. With the
27 implementation of Mitigation Measure PSU-1, impacts would be less than
28 significant.

1 The Preferred Project Alternative includes the construction of an
2 underground storm drain and will require excavation, installation of a 42-
3 inch drainage pipeline, and backfilling. The construction of this storm drain
4 will occur near existing electrical infrastructure. Located along the north
5 side of East Palm Canyon Drive are above ground electrical power lines
6 owned and operated by Southern California Edison. The presence or
7 absence of below ground power lines will need to be verified prior to
8 construction. Implementing Mitigation Measures PSU-2 and PSU-3 will
9 reduce electrical service impacts to a less than significant level.

10 The Preferred Project Alternative includes the construction of an
11 underground storm drain. The construction of this storm drain will occur
12 near existing natural gas infrastructure. Located along the north and south
13 sides of East Palm Canyon Drive are two high-pressure gas lines owned and
14 operated by The Gas Company. Implementing mitigation measures PSU-2
15 and PSU-3 will reduce natural gas service impacts to a less than significant
16 level.

17 The Board finds that the mitigation measures listed below will reduce the
18 Project's potential impacts to Public Service and Utilities to a less than
19 significant level.

20 Mitigation

21 The Mitigation Measures in Section III - Public Service and Utilities of the
22 Final EIR, as described by Exhibit "A" attached hereto, are hereby
23 incorporated by reference.

24 BE IT FURTHER RESOLVED by the Board that the following impacts potentially resulting from
25 the Project's approval cannot be fully mitigated and will be only partially avoided or lessened by the
26 mitigation measures hereinafter specified; a statement of overriding findings is therefore included herein:

27 A. AESTHETICS

28 Potential Impact:

1
2 The Preferred Project Alternative would damage and/or remove granitic
3 rock outcroppings and trees which are considered significant resources.
4 Therefore, impacts are considered significant and unavoidable. However, to
5 reduce these impacts to aesthetic resources, the proposed project would
6 install earth-toned rock riprap along the face of the dam to better blend with
7 the existing color tone and form of the adjacent undeveloped hillsides.
8 While this Mitigation Measure would lessen the adverse effect on scenic
9 resources, impacts are still considered significant and unavoidable after
10 mitigation.

11 Therefore, impacts related to Aesthetics are potentially significant and
12 immitigable.

13 BE IT FURTHER RESOLVED by the Board that it has considered the following alternatives
14 identified in the Final EIR in light of the environmental impacts which cannot be fully mitigated, avoided
15 or substantially lessened and has rejected those alternatives as infeasible for the reasons hereinafter stated:

16 A. Alternative 2: Impoundment Alternative. Alternative 2 proposed the construction
17 and maintenance of an earthen dam and debris basin. Unlike the Preferred Project
18 Alternative, Alternative 2 would have no drainage pipeline to divert storm flows to
19 the West Cathedral Channel. Instead, Alternative 2 will rely on percolation to
20 dissipate stormwater impounded behind the dam. Alternative 2 is hereby rejected
21 by the Board for the following reasons:

- 22 (1) Alternative 2 would increase the size, capacity and impacts of the proposed
23 basin relative to the Preferred Project Alternative.
- 24 (2) Under Alternative 2, the dam embankment would also be an earthfill
25 embankment constructed of locally available material, similar to the
26 Preferred Project Alternative. The quantity of materials used in construction
27 of the dam embankment would be much greater than the 217,000 cubic
28 yards utilized in the construction of the Preferred Project Alternative's dam

1 due to the larger quantity of storm flows contained on the upstream side of
2 the dam.

- 3 (3) Alternative 2 would damage and/or remove granitic rock outcroppings and
4 trees which are considered significant resources. Therefore, impacts are
5 considered significant and unavoidable.

6 B. Alternative 3: Channel Alternative. Alternative 3 would capture the 100-year
7 bulked storm flow (1,180 CFS) at the mouth of the canyon and convey them in an
8 open channel facility following the general alignment of the existing
9 wash/streambed to Palm Canyon Drive and then through existing residential and
10 commercial development to West Cathedral Canyon Channel.

11 Alternative 3 is hereby rejected by the Board for the following reasons:

- 12 (1) Alternative 3 would not provide flood peak attenuation nor provide capture
13 of debris upstream which could contribute to increased peak flow rate
14 within existing downstream stormwater facilities. This increase could
15 exceed the capacity of West Cathedral Canyon Channel. Additionally,
16 there would be an increase in maintenance costs to remove sediment and
17 debris from the channel. Therefore, impacts are considered significant and
18 unavoidable.

- 19 (2) Alternative 3 would require multiple property acquisitions and would have
20 significant environmental and construction costs. In addition, the proposed
21 alternative may cause a change in revenue for local businesses, government
22 agencies, or Indian tribes through land acquisitions; therefore, impacts
23 regarding local business and tax revenue would be significant and
24 unavoidable.

25 C. Alternative 4: No-Project Alternative. Alternative 4 would not allow
26 implementation of the proposed project or other physical improvement associated
27 with the proposed project. The artificial soils, lead-impacted soils, and underground
28 storage tank (UST) would remain in place and no remediation of the site would

1 occur. In addition, no construction of flood control facilities would occur and flood
2 hazard mitigation would not be achieved. Alternative 4 considers what would
3 reasonably be expected to occur on the site if no State or Federal action would
4 occur. Alternative 4 is hereby rejected by the Board for the following reasons:

- 5 (1) Alternate 4 does not meet the primary purpose and objectives of the
6 proposed project. Alternate 4 would **not** (a) improve public safety; (b)
7 prevent or reduce potential flood-related damage to existing residences and
8 business located immediately downstream from the project site; (c) prevent
9 or reduce sediment and debris from flowing downstream; and (d) remediate
10 potentially hazardous materials resulting from illegal dumping that
11 previously occurred on the site.

12 BE IT FURTHER RESOLVED by the Board that it has balanced the benefits of the Project
13 against the unavoidable adverse environmental effects thereof. The Board finds that the benefits of the
14 Project outweigh the unavoidable significant effects on Aesthetics. Therefore, the Board finds that the
15 significant adverse environmental effects of the Project are "acceptable" in light of the following benefits.

16 Facts Supporting Finding:

- 17 (1) The Project area has experienced significant flooding in the past. As the area
18 continues to urbanize, flood damages are expected to increase. The Project would
19 provide 100-year flood protection to existing and planned development, including
20 infrastructure and public roads, thereby providing numerous benefits to public
21 health and safety.
- 22 (2) Public costs associated with reoccurring flood damages will be substantially
23 reduced by the Project.
- 24 (3) The Project is the most feasible of the alternatives studied.

25 BE IT FURTHER RESOLVED by the Board that it has reviewed and considered the Final EIR in
26 evaluating the Project, that the Final EIR is an accurate and objective statement that complies with the
27 California Environmental Quality Act and reflects the District's independent judgment and analysis, and
28 that the Final EIR is incorporated herein by this reference.

1 BE IF FURTHER RESOLVED by the Board that it CERTIFIES the Final EIR for the Eagle
2 Canyon Dam and Debris Basin (State Clearing House No. 2009061065) and ADOPTS the Mitigation
3 Measure Summary, the Mitigation Monitoring/Reporting Program and the findings specified therein.

4 BE IT FURTHER RESOLVED by the Board that the Project Design Drawings are hereby
5 approved, and the District is hereby authorized to proceed therewith.

6 BE IT FURTHER RESOLVED by the Board that the custodians of the documents upon which
7 this decision is based are the Clerk of the Board of Supervisors and the Riverside County Flood Control
8 and Water Conservation District and that such documents are located at 4080 Lemon Street, Riverside,
9 California and 1995 Market Street, Riverside, California.

10 BE IF FURTHER RESOLVED by the Board that within five (5) working days of this Board
11 hearing, the Clerk of the Board is directed to deliver the Notice of Determination for the Project to the
12 Office of the County Clerk and Recorder, who is hereby directed to file same, and the Clerk of the Board
13 is further directed to deliver the Notice of Determination to the State Office of Planning and Research, all
14 as required by law.

15 ROLL CALL:

16 Ayes: Buster, Stone, Benoit, and Ashley
17 Nays: None
18 Absent: Tavaglione

19 The foregoing is certified to be a true copy of a resolution duly
20 adopted by said Board of Supervisors on the date therein set forth.

21 KECIA HARPER-IHEM, Clerk of said Board

22 By: _____
23 Deputy

**RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT**

**EAGLE CANYON DAM AND DEBRIS BASIN
FINAL EIR
RESOLUTION NO. F2011-02**

**EXHIBIT "A"
MITIGATION MEASURE SUMMARY
MITIGATION MONITORING/REPORTING PROGRAM**

**RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT**

**EAGLE CANYON DAM AND DEBRIS BASIN FINAL EIR
RESOLUTION NO. F2011-02**

**EXHIBIT "A"
MITIGATION MEASURE SUMMARY
MITIGATION MONITORING/REPORTING PROGRAM**

1. AESTHETICS

AES-1: The District shall install riprap on the downstream portion of the dam face and shall tint this riprap to blend with the existing color tone of the adjacent undeveloped hillsides.

Implementation of the Project may result in significant impacts related to the loss of aesthetics through the construction of the Project. No feasible mitigation measures are available, therefore, potential significant impacts will result, and a Statement of Overriding Considerations is required.

2. AIR QUALITY

AQ-1: During clearing, grading, earth moving, or excavation operations, excessive fugitive dust emissions shall be controlled by regular water or other dust preventive measures using the following procedures, as specified in the SCAQMD Rule 402, 403, and 403.1.

- a. Limit onsite vehicle speed to 15 miles per hour.
- b. Water material excavated or graded sufficiently to prevent excessive amounts of dust. Water at least three times daily with complete coverage, preferable in the late morning and after work is done for the day and ensure that all disturbed areas of potentially lead-contaminated soil maintain at least 12-percent moisture content.
- c. Water or securely cover material transported onsite or offsite sufficiently to prevent generating excessive amounts of dust.
- d. Minimize area disturbed by clearing, grading, earth moving, or excavation operations so as to prevent generating excessive amounts of dust.
- e. Indicate these control techniques in project specifications. Compliance with the measure will be subject to periodic site inspections by the District.
- f. Prevent visible dust from the Project from emanating beyond the property line, to the maximum extent feasible.
- g. Apply non-toxic chemical soil stabilizers according to manufacturer's specifications to all inactive construction areas (previously graded areas inactive for ten days or more).
- h. Trucks transporting soil, sand, cut or fill materials, and/or construction debris to or from the site shall be tarped from the point of origin.

AQ-2: Project construction contract documents shall show the duration of construction. Ozone precursor emissions from construction equipment vehicles shall be controlled by maintaining equipment engines in good condition and in proper tune per manufacturer's specifications.

AQ-3: All trucks that are to haul excavated or graded material offsite shall comply with State Vehicle Code Section 23114, with special attention to Sections 23114(b)(F), (e)(2) and (e)(4) as amended, regarding the prevention of such material spilling onto public streets and roads. Under this code, the following typical measures are required:

- Every vehicle used to transport aggregate materials shall be equipped with shed boards designed to prevent aggregate materials from being deposited on the vehicles body during top loading.
- A vehicle may not transport any aggregate material upon a highway unless the material is covered.
- Vehicles transporting loads composed entirely of asphalt material are exempt from having to cover their load.
- Vehicles transporting loads of aggregate materials are not required to cover their loads if the load, where it contacts the sides, front and back of the cargo container area, remains six inches from the upper edge of the container area, and if the load does not extend, at its peak above any part of the upper edge of the cargo container area.

3. **BIOLOGICAL RESOURCES**

BIO-1: Pursuant to the Tribal Habitat Conservation Plan, the site is located within the Valley Floor Conservation Area (VFCA). Therefore, the District shall be subject to the VFCA mitigation fee program for the majority of the project located on tribal land. In lieu of paying the required fee, the District shall have the alternative, at the Tribe's discretion, of dedicating or causing dedication of replacement habitat to the Tribe, through any of the mechanisms described in the Tribal Habitat Conservation Plan (Section 4.5), within any of the Target Acquisition Area having equivalent or greater conservation value based on an assessment by a qualified biologist and approval of the Tribal Planning, Building, and Engineering Department.

BIO-2: The Agua Caliente land within the project area is proposed to be included in the land incorporated in the Agua Caliente Band of Cahuilla Indians' Tribal HCP. This plan was adopted by the Tribe as Tribal law in 2002 and subsequently was submitted to USFWS as part of a Section 10(a) Permit application in 2007. The Section 10(a) Permit is currently being considered by USFWS. If the Tribal HCP is approved by USFWS and the Implementation Agreement is executed by all participants prior to commencing construction of the proposed project, the District will follow all applicable measures of the Implementation Agreement and 10(a) Permit for Agua Caliente land in the Tribal HCP. In addition to compliance with the Tribe's Implementation Agreement and Section 10(a) Permit, at the time of project construction the District must also obtain authorization through the FESA Section 7 consultation process between the Bureau of Indian Affairs and USFWS in order to impact this species.

Through the Section 7 consultation process, the resource agencies may conclude that impacts to the peninsular bighorn sheep on Agua Caliente land within the project area may be adequately mitigated through participation in the adopted Tribal HCP. If necessary, additional mitigation/compensation for temporary impacts to peninsular bighorn sheep will be developed through the Section 7 process.

BIO-3: A qualified biologist shall conduct a clearance survey of the project site within 10 days prior to ground disturbing activities to determine whether peninsular bighorn sheep are present in the area as determined by the presence of fresh bighorn sheep sign. If peninsular bighorn sheep or fresh bighorn sheep sign is found, USFWS will be consulted to determine what additional mitigation measures may be required.

BIO-4: The project area occurs on Tribal Land, therefore, should be consistent with the Agua Caliente Band of Cahuilla Indians' Tribal HCP. This plan was adopted by the Tribe as Tribal law in 2002 and subsequently was submitted to USFWS as part of a Section 10(a) Permit application in 2007. The Section 10(a) Permit is still being considered with USFWS. If the Tribal HCP is approved by USFWS and the Implementation Agreement is executed by all participants prior to commencing construction of the proposed project, the District will follow all applicable measures of the Implementation Agreement and Section 10(a) Permit for Agua Caliente land in the Tribal HCP.

Burrowing owl is a covered species under the Tribal HCP. Protocol surveys for burrowing owls will be conducted prior to the disturbance of potential owl habitat. Any active burrow found during survey efforts will be mapped on the construction plans. If no active burrows are found, no further mitigation would be required. Results of the surveys will be provided to the District and the Tribe.

If Burrowing owls are found during protocol surveys, they will be passively relocated to an adjacent area with suitable habitat at a time that does not interfere with the breeding season. If necessary, artificial burrows will be created as part of the relocation effort.

BIO-5: In accordance with the Migratory Bird Treaty Act, seven days prior to the onset of construction activities during the raptor nesting season (February 1 to June 30), a qualified Biologist will survey within 500 feet of the project impact area for the presence of any active bird nests (common or special status). Any nest found during survey efforts will be mapped on the construction plans. If no active nests are found, no further mitigation would be required. Results of the surveys will be provided to the District and the Tribe.

If a nest is occupied during the non-nesting season, the nest site will be monitored by a qualified Biologist, and when the bird is away from the nest, the Biologist will flush the bird to open space areas. A qualified Biologist, or construction personnel under the direction of the qualified Biologist, will then remove the nest site so the bird cannot return to its nest.

If nesting activity is present at any raptor nest site, the active site will be protected until nesting activity has ended to ensure compliance with Section 3503.5 of the *California Fish and Game Code*. To protect any nest site, the following restrictions to construction activities are required until nests are no longer active, as determined by a qualified Biologist: (1) clearing limits will be established within a 500-foot buffer around any occupied nest, unless otherwise determined by a qualified Biologist and (2) access and surveying will be restricted within 300 feet of any occupied nest, unless otherwise determined by a qualified Biologist. Any encroachment into the buffer area around the known nest will only be allowed if the Biologist determines that the proposed activity will not disturb the nest occupants. Construction can proceed when the qualified Biologist has determined that fledglings have left the nest.

BIO-6: Prior to commencing construction of the proposed project, the District shall obtain required permits/agreements from the Corps and CDFG. The District will develop a Restoration and Enhancement Plan for the Corps and CDFG permit application process and shall be responsible for implementation of the plan. The Plan's objective will be to ensure no net loss of habitat values as a result of the project activities. This may include preservation, restoration, and enhancement within the project area and/or off site. The final mitigation ratio shall be negotiated with Corps and CDFG but shall be no less than a 1:1 ratio (1 acre restored for every acre impacted). At a minimum, the Restoration and Enhancement Plan shall address each of the following items:

- a. Responsibilities and qualifications of the personnel to implement and supervise the plan. The responsibilities of the District, specialists and maintenance personnel that will supervise and implement the plan will be specified.
- b. Site selection. Site selection for restoration and enhancement mitigation will be determined in coordination with the District and the appropriate resource agencies. The mitigation site(s) will be located within the project area in a dedicated open space area or on land that will be dedicated and/or purchased off site.
- c. Site preparation and planting implementation. Site preparation will include one or more of the following: (1) protection of existing native species; (2) trash and weed removal; (3) native species salvage and reuse; (4) soil treatments (i.e., imprinting, de-compacting); (5) temporary irrigation installation; (6) erosion-control measures (i.e., rice or willow wattles); (7) seed mix application; and (8) container species as deemed appropriate by the District, the Corps, and CDFG.
- d. Implementation Schedule. An implementation schedule will be developed by the District in consultation with Corps and CDFG.
- e. Maintenance plan/guidelines. The maintenance plan will include one or more of the following: (1) weed control; (2) herbivory control; (3) trash removal; (4) irrigation system maintenance; (5) maintenance training; and (6) replacement planting as deemed appropriate by the District, Corps, and CDFG.
- f. Monitoring Plan. The monitoring plan may include one or more of the following: (1) qualitative monitoring (i.e., photographs and general observations); (2) quantitative monitoring (i.e., randomly placed transects); (3) performance criteria, as approved by the resource agencies; (4) monthly reports for the first year, and every other month for following years; and (5) annual reports from three to five years, which will be submitted to the Corps and CDFG annually. The site will be monitored and maintained for five years to ensure successful establishment of jurisdictional habitat within the restored and created areas; however, if there is successful coverage prior to five years, the District may request to be released from monitoring requirements by the Corps and the CDFG.
- g. Long-Term Preservation. Long-term preservation of the site will also be outlined in the Restoration and Enhancement Plan to ensure the mitigation site is not impacted by future development.

4. CULTURAL RESOURCES

CUL-1: If during ground-disturbance activities, unique cultural resources are discovered that were not assessed by the archaeological report(s), and/or EA/EIR conducted prior to project approval, the following procedures shall be followed. Unique cultural resources are defined, for this condition, as being multiple artifacts in close association with each other, but may include fewer artifacts if the area of the find is determined to be of significance due to its sacred or cultural importance.

1. All ground disturbance activities within 100 feet of the discovered cultural resources shall be halted until a meeting is convened between the District, Archaeologist, and the Native American tribal representative to discuss the significance of the find.
2. The Archaeologist shall recommend appropriate actions, in cooperation with the District and Contractor.
3. Grading or further ground disturbance shall not resume within the area of the discovery until a determination has been reached by the District as to the appropriate mitigation.

CUL-2: If human remains are encountered, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resource Code Section 5097.98. The County Coroner shall be notified of the find immediately. If the remains are determined to be prehistoric, the coroner shall notify the Native American Heritage Commission, which shall determine and notify the appropriate Native American tribe who is the most likely descendent. The descendent shall inspect the site of the discovery and make a recommendation as to the appropriate mitigation. After the recommendations have been made, a Native American Tribal representative, and a District representative shall meet to determine the appropriate mitigation measures and corrective actions to be implemented.

5. **GEOLOGY**

GEO-1: The basin/canyon cut slopes shall be excavated at 1½:1 (horizontal: vertical), which generally follows the existing bedrock natural slope angle; therefore, the planned cut slopes would likely follow the buried bedrock surfaces to finished grade elevations. Surficial soils shall be removed from native slopes above the basin. The spillway will be cut entirely in hard competent rock with 20-foot-high 0.5:1 (H: V) sloping sides. Additional measures to improve stability may include flattening or "laying-back" cut slopes to a shallower gradient. Excavation spoils shall not be placed immediately adjacent to the upper portion of the excavation slopes unless the excavation is shored to support the added load.

GEO-2: Upon excavation, cut slopes shall be geologically mapped to confirm conditions assumed in the feasibility report and identify out-of-slope parting surfaces. In the event out-of-slope parting surfaces are daylighted, supplemental analyses should be performed. Additional scaling may be required to remove loose rock.

GEO-3: The critical areas of the site, where personnel will be working, shall be scaled to remove perched rock from canyon walls in the vicinity of the dam construction. Rock bolting may be necessary where ascending slopes are adjacent to personnel areas. Boulders will likely be deposited within the basin during the life of the dam and periodic removal shall be performed. Other measures used to reduce the potential for temporary slope failure include cutting and backfilling excavations in sections, and not leaving temporary excavations open for a long time.

GEO-4: Remedial grading of the site shall entail removal of fill, and excavation and re-compaction of loose shallow alluvium, recompacted to 95 percent of the modified Proctor (ASTM D 1557). Use of seepage control devices would also provide a pore water pressure release and would reduce likelihood of liquefaction to occur should a seismic event coincide with water retention in the basin.

GEO-5: Retained stormwater will be drained from this basin as soon as possible, typically within 72 hours following precipitation events, to reduce the likelihood of simultaneous seismic and flood events occurring at the site. Spillway design shall be such to attenuate seiche overtopping flows.

GEO-6: Temporary erosion control measures shall be provided during construction, including temporary catchment basins and/or sandbagging to control runoff and contain sediment transport within the project site. Temporary diversion of runoff will be required during construction.

As part of the long-term erosion control and stabilization measures, collector channels will be constructed along the access roads, and along the upstream and downstream shells at abutment connections. Also, rock aprons, as well as grouted and non-grouted rock blankets, will be used appropriately.

6. HYDROLOGY AND WATER QUALITY

HYD-1: The District shall apply for, obtain, and comply with CWA Section 401 Water Quality Certification. During the application process for the 401 Certification, the District shall define the measures for the impacts to West Cathedral Channel for approval by the Colorado River Basin RWQCB.

THIS MITIGATION MEASURE (HYD-2) SHALL ONLY BE ENFORCED IF THE CHANNEL ALTERNATIVE IS SELECTED OVER THE PROPOSED PROJECT

HYD-2: The District shall develop a feasible, enhanced operations and maintenance program for the drainage system to alleviate impacts resulting from sedimentation.

HYD-3: The District shall conduct all work related to the project per the requirements of the CWA and NPDES permit requirements. The project is not a "priority" project and is not required to implement treatment control BMPs. However, the District shall utilize a combination of structural and non-structural source control BMPs, as applicable and feasible, and as appropriate for the project to minimize the impacts of construction activities on water quality.

During construction of the project, multiple BMPs shall be implemented to provide effective erosion and sediment control. These BMPs shall be selected to achieve maximum sediment removal and represent the best available technology that is economically achievable. BMPs to be implemented as part of this mitigation measure shall include, but not be limited to, the following:

- A Storm Water Pollution Prevention Plan (SWPPP) shall be prepared for all construction activities. A copy of the SWPPP shall be available and implemented at the construction site at all times.
- Temporary erosion control measures such as silt fences, staked straw bales/wattles, desilting basins and traps, check dams, geofabric/erosion control blankets, sandbag dikes, and temporary revegetation or other groundcover shall be employed for disturbed areas.
- Schedule grading activities during dry season to the extent feasible.
- Implement measures to limit dust and air emissions during construction. These measures include such things as water-based dust suppression to control dust generated by vehicle traffic.
- Implement materials handling, disposal requirements and spill prevention methods.
- Construction materials and equipment fluids will be managed appropriately so as to not contribute to additional pollutants being improperly discharged at the site. The potential for chemical releases is present at most construction sites. Prevent releases of substances such as fuels, oils, paints and solvents to ground or nearby surface waterways and/or groundwater, stormwater runoff, wash water, and dust control water, so as to potentially prevent a reduction in the quality of the receiving waters.

HYD-4: As part of the compliance with the NPDES requirements, a Notice of Intent shall be prepared for each stage of the project and submitted to the Colorado River Regional Water Quality Control Board, providing notification and intent to comply with the MS4 Permit and SWMP construction requirements.

7. HAZARDS AND HAZARDOUS MATERIALS

HAZ-1: During the implementation of dam site preparation activities, including the removal of the undocumented fill and the lead-impacted soil, the following are recommended:

- Useable non-hazardous materials such as the landscaping and construction materials currently stored on the surface of the undocumented fill shall be removed prior to initiating environmental remediation activities.
- Excavation and segregation of the dumped fill will require trained spotters to identify known and unknown or unexpected materials. Contingency plans need to be in place to be prepared for management of unknown hazardous materials which may be encountered within the planned excavation area. Protection of human health and the environment will depend on adequate preparation and planning.

HAZ-2: The onsite potentially hazardous materials shall be handled in the following manner during implementation of the dam site preparation activities:

- Lead (lead shot) shall be removed and disposed offsite.
- PAH (clay pigeon targets) shall be removed and disposed if confirmed.
- Asbestos (transite, VAT, mastic) shall be segregated and disposed if confirmed.
- Hydrocarbons (surface spills) shall be segregated and disposed.
- Fugitive dust (silica, asbestos) shall be controlled pursuant to South Coast Air Quality Management District (SCAQMD) Rule 403 and 403.1 (refer to Mitigation Measure AQ-1).
- Creosote shall be segregated and disposed if confirmed.
- PCB shall be segregated and disposed if confirmed.

8. NOISE

NOI-1: Prior to commencing construction the construction contractor shall demonstrate, to the satisfaction of the District, the following:

- Construction contracts shall specify that all construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers and other State required noise attenuation devices.
- Construction noise reduction methods such as shutting off idling equipment, installing temporary acoustic barriers around stationary construction noise sources, maximizing the distance between construction equipment staging areas and occupied residential areas, and use of electric air compressors and similar power tools, rather than diesel equipment, shall be used where feasible.
- During construction, stationary construction equipment shall be placed such that emitted noise is directed away from sensitive noise receptors.
- All construction entrances shall clearly post construction hours, allowable workdays, and the phone number of the job superintendent. This will allow surrounding owners and residents to contact the job superintendent with concerns. If the contractor receives a noise-related complaint, appropriate corrective actions shall be implemented and a report taken indicating the action with a copy of the report provided to the reporting party upon request.

9. RECREATION

REC-1: In the event the proposed Class II bike lanes are developed within the affected right-of-way prior to development of this project, the District shall redirect bike lanes to avoid construction of the

proposed pipeline within Highway 111 designated bike lanes and/or temporary bicycle overpasses are to be constructed over the pipeline trench footprints.

10. TRAFFIC AND CIRCULATION

TRA-1: The construction contractor shall prepare traffic control/management plans as necessary for construction of the pipeline. These traffic control plans shall be reviewed and approved by the affected public agencies prior to the commencement of work. The traffic control/management plan shall specify the times during which construction activities will occur and particular times when travel lanes cannot be blocked (e.g. peak traffic periods as directed by the affected City Engineer). The plans shall provide details regarding the placement of traffic control, warning devices and detours.

The traffic control/management plan must include a continual coordination program with the affected agency (City of Cathedral City) to allow for adjustments and refinements to the plan once construction is underway.

TRA-2: As a supplement to the traffic control/management plan, the construction contractor shall coordinate with the affected agency to determine the need for a public information program which would inform area residents, employers, and business owners of the details concerning construction schedules and expected travel delays and blocking of turning movement lanes at the intersections. The public information programs could utilize various media venues (e.g. newspaper, radio, television, telephone hot lines, Internet website, etc.) to disseminate information such as:

- Overview of construction project;
- Weekly updates on location of construction zones;
- Identification of street(s) affected by construction;
- Times when construction activities will occur and when traffic delays and blockage of intersection turning movements can be expected;
- Identification of alternate routes which could be use to avoid construction delays.

TRA-3: During the preparation and implementation of traffic control/management plans (TRA-1), special consideration should be given to the locations where direct driveway access, and therefore, resultant potential emergency access, is being impacted. Measures should be developed and coordinated with the affected individual commercial property owners.

TRA-4: A component of the traffic control/management plan public information program (TRA-2) shall include provisions for informing area residents, major employers, and commercial businesses that access restrictions/disruptions will occur. Additional information shall be prepared which advises the affected public of alternative access routes.

TRA-5: A temporary detour plan shall be implemented to re-route traffic when turning movement access is blocked as construction activities progress through the intersections of Palm Canyon Drive/Perez Road and at Palm Canyon Drive/Auto Park Drive. Exhibit 3.11-7, Suggested Detour Routes for Blocked Access at Palm Canyon Drive/Perez Road, below, illustrates the probable detour routes when turning movement access is blocked at Palm Canyon Drive/Perez Road. Exhibit 3.11-8, Suggested Routes for Blocked Access at Palm Canyon Drive/Auto Park Drive, below, shows the probable detour routes when turning movement access is blocked at Palm Canyon Drive/Auto Park Drive.

11. **PUBLIC SERVICES AND UT/ILITIES**

PSU-1: Recycle construction wastes whenever possible.

PSU-2: Coordinate with utility companies and other relevant agencies before construction to locate existing utilities and avoid damage. Avoid the relocation of utilities whenever possible. Provide notification of any potential interruptions in services to the appropriate agencies.

PSU-3: Develop a Construction and Staging Plan prior to beginning construction near existing public utility facilities.

Riverside County Flood Control and Water Conservation District Eagle Canyon Dam and Debris Basin

Mitigation Monitoring Program Table

Issue	Potential Impact	Mitigation Measures	Action	Implementing Agency	Governing Agency	Implementation Timing	Monitoring Frequency
3.1 Impact 3.1-2 – Scenic Resources	Aesthetics There is potential that the project may damage scenic resources	AES-1: The District shall install rip rap on the downstream portion of the dam face and shall tint this rip rap to blend with the existing color tone of the adjacent undeveloped hillsides.	Install rip rap.	RCFC&WCD (Design and Construction Division)	None	During the construction period.	Monitor as needed during and after construction.
3.2 Impact 3.2-1 – Construction Activities	Air Quality There is potential that short-term construction activities may result in significant air pollutant emissions.	AQ-1: During clearing, grading, earth moving, or excavation operations, excessive fugitive dust emissions shall be controlled by regular water or other dust preventive measures using the following procedures, as specified in the SCAQMD Rule 402, 403, and 403.1. <ul style="list-style-type: none"> a. Limit on-site vehicle speed to 15 miles per hour. b. Water material excavated or graded sufficiently to prevent excessive amounts of dust. Water at least three times daily with complete coverage, preferable in the late morning and after work is done for the day and ensure that all disturbed areas of potentially lead-contaminated soil maintain at least 12-percent moisture content. c. Water or securely cover material transported on-site or off-site sufficiently to prevent generating excessive amounts of dust. d. Minimize area disturbed by clearing, grading, earth moving, or excavation operations so as to prevent generating excessive amounts of dust. e. Indicate these control techniques in project specifications. Compliance with the measure will be subject to periodic site inspections by the District. 	Implement dust control measures	RCFC&WCD (Design and Construction Division)	SCAQMD	Prior to construction period, plans shall indicate minimization of disturbance area. Dust control measures shall occur during the construction period.	Monitor as needed prior to and during construction.

Issue	Potential Impact	Mitigation Measures	Action	Implementing Agency	Governing Agency	Implementation Timing	Monitoring Frequency
Impact 3.2-2 – Construction Activities	Same as above	<p>f. Prevent visible dust from the Project from emanating beyond the property line, to the maximum extent feasible.</p> <p>g. Apply non-toxic chemical soil stabilizers according to manufacturers' specifications to all inactive construction areas (previously graded areas inactive for ten days or more).</p> <p>h. Trucks transporting soil, sand, cut or fill materials, and/or construction debris to or from the site shall be tamped from the point of origin.</p> <p>AQ-2: Project construction contract documents shall show the duration of construction. Ozone precursor emissions from construction equipment vehicles shall be controlled by maintaining equipment engines in good condition and in proper tune per manufacturer's specifications.</p>	Implement ozone reduction measures	RCFC&WCD (Design and Construction Division)	SCAQMD (Equipment maintenance records and equipment design specification on data sheets shall be kept on-site and made available for review by the District or SCAQMD during construction.)	Prior to construction period, plans shall show duration of construction. Maintenance equipment shall be maintained in good condition during the construction period.	Monitor as needed prior to and during construction.
Impact 3.2-2 – Construction Activities	Same as above	<p>AQ-3: All trucks that are to haul excavated or graded material offsite shall comply with State Vehicle Code Section 23114, with special attention to Sections 23114(b)(F), (e)(2) and (e)(4) as amended, regarding the prevention of such material spilling onto public streets and roads. Under this code, the following typical measures are required:</p> <ul style="list-style-type: none"> • Every vehicle used to transport aggregate materials shall be equipped with shed boards designed to prevent aggregate materials from being deposited on the vehicles body during top loading. • A vehicle may not transport any aggregate material upon a highway 	Implement spill prevention measures	RCFC&WCD (Design and Construction Division)		Prior to construction period, plans shall list these requirements. Offsite hauling equipment shall follow spill prevention measure during the construction period.	Monitor as needed prior to and during construction.

Issue	Potential Impact	Mitigation Measures	Action	Implementing Agency	Governing Agency	Implementation Timing	Monitoring Frequency
		<ul style="list-style-type: none"> unless the material is covered. Vehicles transporting loads composed entirely of asphalt material are exempt from having to cover their load. Vehicles transporting loads of aggregate materials are not required to cover their loads if the load, where it contacts the sides, front and back of the cargo container area, remains six inches from the upper edge of the container area, and if the load does not extend, at its peak above any part of the upper edge of the cargo container area. 					
3.3 Biological Resources Impact 3.3-1 – Sensitive Species	There is potential that short-term construction activities may result in the disruption of a linkage between metapopulations of the bighorn sheep.	BIO-1: Pursuant to the Tribal Habitat Conservation Plan, the site is located within the Valley Floor Conservation Area (VFCA). Therefore, the District shall be subject to the VFCA mitigation fee program for the majority of the project located on tribal land. In lieu of paying the required fee, the District shall have the alternative, at the Tribe's discretion, of dedicating or causing dedication of replacement habitat to the Tribe, through any of the mechanisms described in the Tribal Habitat Conservation Plan (Section 4.5), within any of the Target Acquisition Area having equivalent or greater conservation value based on an assessment by a qualified biologist and approval of the Tribal Planning, Building, and Engineering Department.	Pay VFCA mitigation fee or dedicate or cause dedication of replacement habitat	RCFC&WCD (Regulatory Division)	Agua Caliente Band of Cahuilla Indians Planning, Building, and Engineering Department	Prior to construction period, fee payment or habitat dedication shall occur.	Verify VFCA fee payment or dedication of habitat prior to construction activity.
Impact 3.3-1 – Sensitive Species	There is potential that short-term construction activities may result in the disruption of a linkage between metapopulations of the bighorn sheep.	BIO-2: The Agua Caliente land within the project area is proposed to be included in the land incorporated in the Agua Caliente Band of Cahuilla Indians' Tribal HCP. This plan was adopted by the Tribe as Tribal law in 2002 and subsequently was submitted to USFWS as part of a Section 10(a) permit application in 2007. The Section 10(a) permit is currently being considered by USFWS. If the Tribal HCP is approved by USFWS and the Implementation Agreement is executed by all participants	Obtain authorization through Section 7 consultation with USFWS.	RCFC&WCD (Regulatory Division)	Agua Caliente Band of Cahuilla Indians Planning, Building, and Engineering Department (if Section 10(a) permit is approved prior to construction) or USFWS (if	Prior to construction period, Section 7 authorization shall be obtained. If necessary, additional Section 7 mitigation/compensation shall be implemented	Verify Section 7 authorization prior to construction activity. Monitor as needed prior to and during construction.

Issue	Potential Impact	Mitigation Measures	Action	Implementing Agency	Governing Agency	Implementation Timing	Monitoring Frequency
Impact 3.3-1 – Sensitive Species	Same as above.	<p>prior to commencing construction of the proposed project, the District will follow all applicable measures of the Implementation Agreement and 10(a) permit for Agua Caliente land in the Tribal HCP. In addition to compliance with the Tribe's Implementation Agreement and Section 10(a) permit, at the time of project construction the District must also obtain authorization through the FESA Section 7 consultation process between the Bureau of Indian Affairs and USFWS in order to impact this species.</p> <p>Through the Section 7 consultation process, the resource agencies may conclude that impacts to the peninsular bighorn sheep on Agua Caliente land within the project area may be adequately mitigated through participation in the adopted Tribal HCP. If necessary, additional mitigation/compensation for temporary impacts to peninsular bighorn sheep will be developed through the Section 7 process.</p>	Conduct a pre-construction clearance survey for presence of bighorn sheep.	RCFC&WCD (Regulatory Division)	USFWS	Within 10 days prior to initial construction-related vegetation clearing	Monitor as needed prior to construction and routine maintenance involving ground-disturbing activities.
Impact 3.3-1 – Sensitive Species	There is potential that short-term construction activities may result in a loss of an active burrowing owl nest.	<p>BIO-3: A qualified biologist shall conduct a clearance survey of the project site within 10 days prior to ground disturbing activities to determine whether peninsular bighorn sheep are present in the area as determined by the presence of fresh bighorn sheep sign. If peninsular bighorn sheep or fresh bighorn sheep sign is found, USFWS will be consulted to determine what additional mitigation measures may be required.</p> <p>BIO-4 The project area occurs on Tribal Land and therefore should be consistent with the Agua Caliente Band of Cahuilla Indians' Tribal HCP. This plan was adopted by the Tribe as Tribal law in 2002 and subsequently was submitted to USFWS as part of a Section 10(a) permit application in 2007. The Section 10(a) permit is still being considered with USFWS. If the Tribal HCP is approved by USFWS and the Implementation</p>	Conduct a pre-ground disturbance protocol survey for active burrows. If present, relocate to an area with	RCFC&WCD (Regulatory Division) for survey/ (Design and Construction Division) for relocation efforts.	Cahuilla Indians Planning, Building, and Engineering Department (if Section 10(a) permit is approved prior to construction) or none (if 10(a) permit is	Prior to ground-disturbance activities.	Monitor as needed prior to construction and routine maintenance involving ground-disturbing activities.

Issue	Potential Impact	Mitigation Measures	Action	Implementing Agency	Governing Agency	Implementation Timing	Monitoring Frequency
Impact 3.3-1 - Sensitive Species	There is potential that short-term construction activities may result in an impact to nesting birds protected under the Migratory Bird Treaty Act (MBTA).	<p>Agreement is executed by all participants prior to commencing construction of the proposed project, the District will follow all applicable measures of the Implementation Agreement and 10(a) permit for Agua Caliente land in the Tribal HCP.</p> <p>Burrowing owl is a covered species under the Tribal HCP. Protocol surveys for burrowing owls will be conducted prior to the disturbance of potential owl habitat. Any active burrow found during survey efforts will be mapped on the construction plans. If no active burrows are found, no further mitigation would be required. Results of the surveys will be provided to the District and the Tribe.</p> <p>If owls are found during protocol surveys, they will be passively relocated to an adjacent area with suitable habitat at a time that does not interfere with the breeding season. If necessary, artificial burrows will be created as part of the relocation effort.</p>	<p>Conduct a pre-construction survey for the presence of active bird nests. Provide results to the District and the Tribe. If an active nest is observed during the non-nesting season, the nest site will be removed. If the nest is observed during the nesting season, the site will be</p>	RCFC&WCD (Regulatory Division)	not in effect at the time of project construction)	Within 7 days prior to construction during the report nesting season (February 1 to June 30).	Monitor as needed prior to construction.
BIO-5	In accordance with the Migratory Bird Treaty Act, seven days prior to the onset of construction activities during the avian (bird) nesting season (February 1 to June 30), a qualified Biologist will survey within 500 feet of the project impact area for the presence of any active bird nests (common or special status). Any nest found during survey efforts will be mapped on the construction plans. If no active nests are found, no further mitigation would be required. Results of the surveys will be provided to the District and the Tribe. <p>If a nest is occupied during the non-nesting season, the nest site will be monitored by a qualified Biologist, and when the bird is away from the nest, the Biologist will flush the bird to open space areas. A qualified Biologist, or construction personnel under the direction of the qualified Biologist, will then remove the nest site so the bird cannot return to</p>	<p>Agreement is executed by all participants prior to commencing construction of the proposed project, the District will follow all applicable measures of the Implementation Agreement and 10(a) permit for Agua Caliente land in the Tribal HCP.</p> <p>Burrowing owl is a covered species under the Tribal HCP. Protocol surveys for burrowing owls will be conducted prior to the disturbance of potential owl habitat. Any active burrow found during survey efforts will be mapped on the construction plans. If no active burrows are found, no further mitigation would be required. Results of the surveys will be provided to the District and the Tribe.</p> <p>If owls are found during protocol surveys, they will be passively relocated to an adjacent area with suitable habitat at a time that does not interfere with the breeding season. If necessary, artificial burrows will be created as part of the relocation effort.</p>	<p>Conduct a pre-construction survey for the presence of active bird nests. Provide results to the District and the Tribe. If an active nest is observed during the non-nesting season, the nest site will be removed. If the nest is observed during the nesting season, the site will be</p>	RCFC&WCD (Regulatory Division)	not in effect at the time of project construction)	Within 7 days prior to construction during the report nesting season (February 1 to June 30).	Monitor as needed prior to construction.

Issue	Potential Impact	Mitigation Measures	Action	Implementing Agency	Governing Agency	Implementation Timing	Monitoring Frequency
		<p>its nest.</p> <p>If nesting activity is present at any raptor nest site, the active site will be protected until nesting activity has ended to ensure compliance with Section 3503.5 of the <i>California Fish and Game Code</i>. To protect any nest site, the following restrictions to construction activities are required until nests are no longer active, as determined by a qualified Biologist: (1) clearing limits will be established within a 500-foot buffer around any occupied nest, unless otherwise determined by a qualified Biologist and (2) access and surveying will be restricted within 300 feet of any occupied nest, unless otherwise determined by a qualified Biologist. Any encroachment into the buffer area around the known nest will only be allowed if the Biologist determines that the proposed activity will not disturb the nest occupants. Construction can proceed when the qualified Biologist has determined that fledglings have left the nest.</p>	<p>protected until the nesting activity has ended and the fledglings have left the nest.</p>				
Impact 3.3-2 - Riparian and Sensitive Habitat	Implementation of the proposed project may have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or US Fish and Wildlife Service.	<p>BIO-6 Prior to commencing construction of the proposed project, the District shall obtain required permits/agreements from the Corps and CDFG. The District will develop a Restoration and Enhancement Plan for the Corps and CDFG permit application process and shall be responsible for implementation of the plan. The Plan's objective will be to ensure no net loss of habitat values as a result of the project activities. This may include preservation, restoration, and enhancement within the project area and/or off site. The final mitigation ratio shall be negotiated with Corps and CDFG but shall be no less than a 1:1 ratio (1 acre restored for every acre impacted). At a minimum, the Restoration and Enhancement Plan shall address each of the following items:</p> <p>a. <i>Responsibilities and qualifications of the personnel to implement and supervise the plan.</i> The responsibilities of the</p>	<p>Obtain required permits/agreements from the Corps and CDFG. Develop and implement a Restoration and Enhancement Plan.</p>	RCFC&WCD (Regulatory Division)	CDFG and USACE	Prior to ground-disturbance activities.	Monitor as needed prior to and during construction.

Issue	Potential Impact	Mitigation Measures	Action	Implementing Agency	Governing Agency	Implementation Timing	Monitoring Frequency
		<p>District, specialists and maintenance personnel that will supervise and implement the plan will be specified.</p> <p>b. <i>Site selection.</i> Site selection for restoration and enhancement mitigation will be determined in coordination with the District and the appropriate resource agencies. The mitigation site(s) will be located within the project area in a dedicated open space area or on land that will be dedicated and/or purchased off site.</p> <p>c. <i>Site preparation and planting implementation.</i> Site preparation will include one or more of the following: (1) protection of existing native species; (2) trash and weed removal; (3) native species salvage and reuse; (4) soil treatments (i.e., imprinting, de-compacting); (5) temporary irrigation installation; (6) erosion-control measures (i.e., rice or willow wattles); (7) seed mix application; and (8) container species as deemed appropriate by the District, the Corps, and CDFG.</p> <p>d. <i>Implementation Schedule.</i> An implementation schedule will be developed by the District in consultation with Corps and CDFG.</p> <p>e. <i>Maintenance plan/guidelines.</i> The maintenance plan will include one or more of the following: (1) weed control; (2) herbivory control; (3) trash removal; (4) irrigation system maintenance; (5) maintenance training; and (6) replacement planting as deemed appropriate by the District, Corps, and CDFG.</p> <p>f. <i>Monitoring Plan.</i> The monitoring plan may include one or more of the following: (1) qualitative monitoring (i.e., photographs and general observations); (2) quantitative monitoring (i.e., randomly placed transects); (3) performance criteria, as approved by the resource agencies;</p>					

Issue	Potential Impact	Mitigation Measures	Action	Implementing Agency	Governing Agency	Implementation Timing	Monitoring Frequency
		<p>(4) monthly reports for the first year, and every other month for following years; and (5) annual reports from three to five years, which will be submitted to the Corps and CDFG annually. The site will be monitored and maintained for five years to ensure successful establishment of jurisdictional habitat within the restored and created areas; however, if there is successful coverage prior to five years, the District may request to be released from monitoring requirements by the Corps and the CDFG.</p> <p>g. <i>Long-Term Preservation.</i> Long-term preservation of the site will also be outlined in the Restoration and Enhancement Plan to ensure the mitigation site is not impacted by future development.</p>					
<p>3.4 Cultural Resources Impact 3.4-1 & 2- Historical & Archaeological Resources</p>	<p>There is potential that cultural resources may be impacted.</p>	<p>CUL-1: If during ground-disturbance activities, unique cultural resources are discovered that were not assessed by the archaeological report(s), and/or EA/EIR conducted prior to project approval, the following procedures shall be followed. Unique cultural resources are defined, for this condition, as being multiple artifacts in close association with each other, but may include fewer artifacts if the area of the find is determined to be of significance due to its sacred or cultural importance.</p> <ol style="list-style-type: none"> 1. All ground disturbance activities within 100 feet of the discovered cultural resources shall be halted until a meeting is convened between the District, Archaeologist, and the Native American tribal representative to discuss the significance of the find. 2. The Archaeologist shall recommend appropriate actions, in cooperation with the District and Contractor. 3. Grading or further ground disturbance shall not resume within 	<p>Ground-disturbance activities will cease if cultural resources are encountered. A qualified Archaeologist will evaluate the resources and recommend appropriate action.</p>	<p>RCFC&WCD (Design and Construction Division)</p>	<p>None</p>	<p>During ground-disturbance activities (i.e., excavation, grading, clearing, etc.).</p>	<p>Monitor as needed during ground-disturbance activities.</p>

Issue	Potential Impact	Mitigation Measures	Action	Implementing Agency	Governing Agency	Implementation Timing	Monitoring Frequency
Impact 3.4.4 – Human Remains	There is potential the project may disturb human remains	<p>the area of the discovery until a determination has been reached by the District as to the appropriate mitigation.</p> <p>CUL-2: If human remains are encountered, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resource Code section 5097.98. The County Coroner shall be notified of the find immediately. If the remains are determined to be prehistoric, the coroner shall notify the Native American Heritage Commission, which shall determine and notify the appropriate Native American tribe who is the most likely descendant. The descendant shall inspect the site of the discovery and make a recommendation as to the appropriate mitigation. After the recommendations have been made, a Native American Tribal representative, and a District representative shall meet to determine the appropriate mitigation measures and corrective actions to be implemented.</p>	Ground-disturbance activities will cease if human remains are encountered. Coroner will evaluate the remains. Native American Tribal representative and the District shall determine corrective actions.	RCFC&WCD (Design and Construction Division)	None	During ground-disturbance activities (i.e., excavation, grading, clearing, etc.).	Monitor as needed during ground-disturbance activities.
3.5 Geology							
Impact 3.5-3 – Landslides	There is potential the project may expose people or structures to landslides	<p>GEO-1: The basin/canyon cut slopes shall be excavated at 1½:1 (horizontal: vertical), which generally follows the existing bedrock natural slope angle; therefore, the planned cut slopes would likely follow the buried bedrock surfaces to finished grade elevations. Surficial soils shall be removed from native slopes above the basin. The spillway will be cut entirely in hard competent rock with 20-foot-high 0.5:1 (H:V) sloping sides. Additional measures to improve stability may include flattening or "laying-back" cut slopes to a shallower gradient. Excavation spoils shall not be placed immediately adjacent to the upper portion of the excavation slopes unless the excavation is shored to support the added load.</p> <p>GEO-2: Upon excavation, cut slopes shall be geologically mapped to confirm conditions assumed in the feasibility report and</p>	Implement excavation and grading requirements for stability of slopes	RCFC&WCD (Design and Construction Division)	DSOD	Prior to construction period, plans shall show slope requirements. Excavation and grading requirements shall occur during the construction period.	Monitor as needed during construction.
Impact 3.5-3 – Landslides	Same as above		Map cut slopes and identify out-	RCFC&WCD (Design and Construction Division)	DSOD	During the construction period.	Monitor as needed during construction.

Issue	Potential Impact	Mitigation Measures	Action	Implementing Agency (Division)	Governing Agency	Implementation Timing	Monitoring Frequency
Impact 3.5-3 – Landslides	Same as above	Identify out-of-slope parting surfaces. In the event out-of-slope parting surfaces are daylighted, supplemental analyses should be performed. Additional scaling may be required to remove loose rock.	of-slope parting surfaces. Perform additional scaling as needed.	RCFC&WCD (Design and Construction Division)	DSOD	During the construction period.	Monitor as needed during construction.
Impact 3.5-4 – Liquefaction & Lateral Spreading	The dam and debris basin may be exposed to liquefaction potential	GEO-3: The critical areas of the site, where personnel will be working, shall be scaled to remove perched rock from canyon walls in the vicinity of the dam construction. Rock bolting may be necessary where ascending slopes are adjacent to personnel areas. Boulders will likely be deposited within the basin during the life of the dam and periodic removal shall be performed. Other measures used to reduce the potential for temporary slope failure include cutting and backfilling excavations in sections, and not leaving temporary excavations open for a long time. GEO-4: Remedial grading of the site shall entail removal of fill, and excavation and re-compaction of loose shallow alluvium, re-compacted to 95 percent of the modified Proctor (ASTM D 1557). Use of seepage control devices would also provide a pore water pressure release and would reduce likelihood of liquefaction to occur should a seismic event coincide with water retention in the basin.	Remove perched rock, install rock boltings, perform cutting and backfilling of slopes, and ensure temporary excavation is not open for long period. Perform remedial grading. Install seepage control devices.	RCFC&WCD (Design and Construction Division)	DSOD	During the construction period.	Monitor as needed during construction.
Impact 3.5-6 – Tsunami & Seiches	The debris basin may expose people or structures downstream to flooding from seiche events	GEO-5: Retained stormwater will be drained from this basin as soon as possible, typically within 72 hours following precipitation events, to reduce the likelihood of simultaneous seismic and flood events occurring at the site. Spillway design shall be such to attenuate seiche overtopping flows.	Limit typical stormwater detention to 72 hours. Design spillway to attenuate seiche overtopping.	RCFC&WCD (Design and Construction Division)	None	During the construction period and after construction during the operational phase.	Monitor as needed during construction and during operations.
Impact 3.5-7 – Soil Erosion	Same as above	GEO-6: Temporary erosion control measures shall be provided during construction, including temporary catchment basins and/or sandbagging to control runoff and contain sediment transport within the project site. Temporary diversion of runoff will be required during construction.	Implement temporary erosion control measures.	RCFC&WCD (Design and Construction Division)	RWQCB	Erosion control measures will be shown on the SWPPP prior to construction. Compliance with	Monitor as needed prior to and during construction.

Issue	Potential Impact	Mitigation Measures	Action	Implementing Agency	Governing Agency	Implementation Timing	Monitoring Frequency
3.6 Impact 3.6-1 – Water Quality & Waste Discharge	As part of the long-term erosion control and stabilization measures, collector channels will be constructed along the access roads, and along the upstream and downstream shells at abutment connections. Also, rock aprons, as well as grouted and non-grouted rock blankets, will be used appropriately.	Hydrology and Water Quality HYD-1: The District shall apply for, obtain, and comply with CWA Section 401 Water Quality Certification. During the application process for the 401 Certification, the District shall define the measures for the impacts to West Cathedral Channel for approval by the Colorado River Basin RWQCB.	Obtain and comply with Section 401.	RCFC&WCD (Regulatory Division)	RWQCB	Obtain Section 401 Certification prior to construction. Compliance with Section 401 Certification shall occur during the construction period.	Monitor as needed during construction.
Impact 3.6-1 – Water Quality & Waste Discharge	Same as above	<u>THIS MITIGATION MEASURE SHALL ONLY BE ENFORCED IF THE CHANNEL ALTERNATIVE IS SELECTED OVER THE PROPOSED PROJECT</u> HYD-2: The District shall develop a feasible, enhanced operations and maintenance program for the drainage system to alleviate impacts resulting from sedimentation.	Develop a operations and maintenance program.	RCFC&WCD (Regulatory Division)	None	During the construction period.	Monitor as needed during construction and the operational phase.
Impact 3.6-2 – Erosion & Siltation	The dam and debris basin have the potential to alter the existing drainage pattern and result in erosion or siltation.	HYD-3: The District shall conduct all work related to the project per the requirements of the CWA and NPDES permit requirements. The project is not a "priority" project and is not required to implement treatment control BMPs. However, the District shall utilize a combination of structural and non-structural source control BMPs, as applicable and feasible, and as appropriate for the project to minimize the impacts of construction activities on water quality. During construction of the project, multiple BMPs shall be implemented to provide effective erosion and sediment control. These BMPs shall be selected to achieve maximum sediment removal and	Construct source control BMPs as needed and comply with CWA and NPDES requirements.	RCFC&WCD (Regulatory Division)	RWQCB	During the construction period.	Monitor as needed during construction and the operational phase.

Issue	Potential Impact	Mitigation Measures	Action	Implementing Agency	Governing Agency	Implementation Timing	Monitoring Frequency
Impact 3.6-2 -	Same as above	<p>represent the best available technology that is economically achievable. BMPs to be implemented as part of this mitigation measure shall include, but not be limited to, the following:</p> <ul style="list-style-type: none"> • A Storm Water Pollution Prevention Plan (SWPPP) shall be prepared for all construction activities. A copy of the SWPPP shall be available and implemented at the construction site at all times. • Temporary erosion control measures such as silt fences, staked straw bales/wattles, desilting basins and traps, check dams, geofabric/erosion control blankets, sandbag dikes, and temporary revegetation or other groundcover shall be employed for disturbed areas. • Schedule grading activities during dry season to the extent feasible. • Implement measures to limit dust and air emissions during construction. These measures include such things as water-based dust suppression to control dust generated by vehicle traffic. • Implement materials handling, disposal requirements and spill prevention methods. • Construction materials and equipment fluids will be managed appropriately so as to not contribute to additional pollutants being improperly discharged at the site. <p>The potential for chemical releases is present at most construction sites. Prevent releases of substances such as fuels, oils, paints and solvents to ground or nearby surface waterways and/or groundwater, stormwater runoff, wash water, and dust control water, so as to potentially prevent a reduction in the quality of the receiving waters.</p>	Submit NOI	RCFC&WCD	RWQCB	Submit NOI prior	Monitor as

Issue	Potential Impact	Mitigation Measures	Action	Implementing Agency	Governing Agency	Implementation Timing	Monitoring Frequency
Erosion & Siltation		NPDES requirements, a Notice of Intent shall be prepared for each stage of the project and submitted to the Colorado River Regional Water Quality Control Board, providing notification and intent to comply with the MS4 Permit and SWMP construction requirements.	to RWQCB	(Regulatory Division)		to construction. Compliance with NPDES shall occur during the construction period.	needed prior to each stage of the project.
3.7 Hazards and Hazardous Materials							
Impact 3.7-2 – Release of Hazardous Materials into the Environment	The project has the potential to release hazardous materials into the environment.	<p>HAZ-1: During the implementation of dam site preparation activities, including the removal of the undocumented fill and the lead-impacted soil, the following are recommended:</p> <ul style="list-style-type: none"> Useable non-hazardous materials such as the landscaping and construction materials currently stored on the surface of the undocumented fill shall be removed prior to initiating environmental remediation activities. Excavation and segregation of the dumped fill will require trained spotters to identify known and unknown or unexpected materials. Contingency plans need to be in place to be prepared for management of unknown hazardous materials which may be encountered within the planned excavation area. Protection of human health and the environment will depend on adequate preparation and planning. 	Remove useable non-hazardous materials. Require spotters to be onsite to identify unexpected materials. Develop a contingency plans for hazardous materials.	City of Palm Springs/ City of Cathedral City	Riverside County Department of Environmental Health	Prior to dam and basin excavation.	Monitor as needed during hazardous waste removal prior to dam and basin excavation.
Impact 3.7-2 – Release of Hazardous Materials into the Environment	Same as above.	<p>HAZ-2:</p> <ul style="list-style-type: none"> The onsite potentially hazardous materials shall be handled in the following manner during implementation of the dam site preparation activities: <ul style="list-style-type: none"> Lead (lead shot) shall be removed and disposed offsite. PAH (clay pigeon targets) shall be removed and disposed if confirmed. Asbestos (transite, VAT, mastic) shall be segregated and disposed if confirmed. Hydrocarbons (surface spills) shall be segregated and disposed. Fugitive dust (silica, asbestos) shall be controlled pursuant to South Coast 	Segregate and dispose of hazardous materials during dam site preparation. Implement dust control measures.	City of Palm Springs/ City of Cathedral City	Riverside County Department of Environmental Health	Prior to dam and basin excavation.	Monitor as needed during hazardous waste removal prior to dam and basin excavation.

Issue	Potential Impact	Mitigation Measures	Action	Implementing Agency	Governing Agency	Implementation Timing	Monitoring Frequency
		<p>Air Quality Management District (SCAQMD) Rule 403 and 403.1 (refer to Mitigation Measure AQ-1).</p> <ul style="list-style-type: none"> Creosote shall be segregated and disposed if confirmed. PCB shall be segregated and disposed if confirmed. 					
3.8 Land Use and Planning							
		No mitigation is required.					
3.9 Noise							
Impact 3.9-1 – Sensitive Receptors	Grading and construction has the potential to result in temporary noise impacts to noise-sensitive receptors.	<p>NOI-1: Prior to commencing construction the construction contractor shall demonstrate, to the satisfaction of the District, the following:</p> <ul style="list-style-type: none"> Construction contracts shall specify that all construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers and other State required noise attenuation devices. Construction noise reduction methods such as shutting off idling equipment, installing temporary acoustic barriers around stationary construction noise sources, maximizing the distance between construction equipment staging areas and occupied residential areas, and use of electric air compressors and similar power tools, rather than diesel equipment, shall be used where feasible. During construction, stationary construction equipment shall be placed such that emitted noise is directed away from sensitive noise receptors. All construction entrances shall clearly post construction hours, allowable workdays, and the phone number of the job superintendent. This will allow surrounding owners and residents to contact the job superintendent with concerns. If the contractor receives a noise-related complaint, appropriate corrective actions shall be implemented and a 	Implement noise-attenuating measures.	RCFC&WCD (Design and Construction Division)	None	During the construction period.	Monitor as needed during construction.

Issue	Potential Impact	Mitigation Measures	Action	Implementing Agency	Governing Agency	Implementation Timing	Monitoring Frequency
3.10 Recreation Impact 3.10-1 - Recreational Resources	Construction of Line 43 has the potential to impact a planned Class III designated bike lane.	report taken indicating the action with a copy of the report provided to the reporting party upon request.					
		<p>REC-1: In the event the proposed Class II bike lanes are developed within the affected right-of-way prior to development of this project, the District shall redirect bike lanes to avoid construction of the proposed pipeline within Highway 111 designated bike lanes and/or temporary bicycle overpasses are to be constructed over the pipeline trench footprints.</p>	Redirect bike lanes to avoid construction of Line 43.	RCFC&WCD (Design and Construction Division)	None	Prior to installation of Line 43 along Highway 111.	Monitor as needed during construction.
3.11 Traffic and Circulation Impact 3.11-2 - Level of Service	The project has the potential to exceed a level of service standard.	<p>TRA-1: The construction contractor shall prepare traffic control/management plans as necessary for construction of the pipeline. These traffic control plans shall be reviewed and approved by the affected public agencies prior to the commencement of work. The traffic control/management plan shall specify the times during which construction activities will occur and particular times when travel lanes cannot be blocked (e.g. peak traffic periods as directed by the affected City Engineer). The plans shall provide details regarding the placement of traffic control, warning devices and detours.</p> <p>The traffic control/management plan must include a continual coordination program with the affected agency (City of Cathedral City) to allow for adjustments and refinements to the plan once construction is underway.</p>	Prepare traffic control/management plan	RCFC&WCD (Design and Construction Division)	None (coordination with City of Cathedral City)	Prior to construction of Line 43.	Monitor as needed during construction.
		<p>TRA-2: As a supplement to the traffic control/management plan, the construction contractor shall coordinate with the affected agency to determine the need for a public information program which would inform area residents, employers, and business owners of the details concerning construction schedules and expected travel delays and blocking of turning movement lanes at the</p>	Implement a public information program.	RCFC&WCD (Design and Construction Division)	None (coordination with City of Cathedral City)	Prior to construction of Line 43.	Monitor as needed during construction.
Impact 3.11-2 - Level of Service	Same						

Issue	Potential Impact	Mitigation Measures	Action	Implementing Agency	Governing Agency	Implementation Timing	Monitoring Frequency
Impact 3.11-5 - Emergency Access		<p>intersections. The public information programs could utilize various media venues (e.g. newspaper, radio, television, telephone hot lines, Internet website, etc.) to disseminate information such as:</p> <ul style="list-style-type: none"> • Overview of construction project; • Weekly updates on location of construction zones; • Identification of street(s) affected by construction; • Times when construction activities will occur and when traffic delays and blockage of intersection turning movements can be expected; • Identification of alternate routes which could be used to avoid construction delays. 					
Impact 3.11-5 - Emergency Access	The project has the potential to impact emergency access to commercial properties.	<p>TRA-3: During the preparation and implementation of traffic control/management plans (TRA-1), special consideration should be given to the locations where direct driveway access, and therefore, resultant potential emergency access, is being impacted. Measures should be developed and coordinated with the affected individual commercial property owners.</p> <p>TRA-4: A component of the traffic control/management plan public information program (TRA-2) shall include provisions for informing area residents, major employers, and commercial businesses that access restrictions/disruptions will occur. Additional information shall be prepared which advises the affected public of alternative access routes.</p> <p>TRA-5: A temporary detour plan shall be implemented to re-route traffic when turning movement access is blocked as construction activities progress through the intersections of Palm Canyon Drive/Perez Road and at Palm Canyon Drive/Auto Park Drive. Exhibit 3.11-7, Suggested Detour Routes for Blocked Access at Palm Canyon Drive/Perez</p>	Develop measures to maintain emergency access.	RCFC&WCD (Design and Construction Division)	None (coordination with City of Cathedral City)	Prior to construction of Line 43.	Monitor as needed during construction.
Impact 3.11-5 - Emergency Access	Same	<p>TRA-4: A component of the traffic control/management plan public information program (TRA-2) shall include provisions for informing area residents, major employers, and commercial businesses that access restrictions/disruptions will occur. Additional information shall be prepared which advises the affected public of alternative access routes.</p> <p>TRA-5: A temporary detour plan shall be implemented to re-route traffic when turning movement access is blocked as construction activities progress through the intersections of Palm Canyon Drive/Perez Road and at Palm Canyon Drive/Auto Park Drive. Exhibit 3.11-7, Suggested Detour Routes for Blocked Access at Palm Canyon Drive/Perez</p>	Inform public about restrictions/disruptions to emergency access.	RCFC&WCD (Design and Construction Division)	None (coordination with City of Cathedral City)	Prior to construction of Line 43.	Monitor as needed during construction.
Impact 3.11-5 - Emergency Access	Same	<p>TRA-5: A temporary detour plan shall be implemented to re-route traffic when turning movement access is blocked as construction activities progress through the intersections of Palm Canyon Drive/Perez Road and at Palm Canyon Drive/Auto Park Drive. Exhibit 3.11-7, Suggested Detour Routes for Blocked Access at Palm Canyon Drive/Perez</p>	Prepare a temporary detour plan.	RCFC&WCD (Design and Construction Division)	None (coordination with City of Cathedral City)	Prior to construction of Line 43.	Monitor as needed during construction.

Issue	Potential Impact	Mitigation Measures	Action	Implementing Agency	Governing Agency	Implementation Timing	Monitoring Frequency
		Road, below, illustrates the probable detour routes when turning movement access is blocked at Palm Canyon Drive/Perez Road. Exhibit 3.11-8, Suggested Routes for Blocked Access at Palm Canyon Drive/Auto Park Drive, below, shows the probable detour routes when turning movement access is blocked at Palm Canyon Drive/Auto Park Drive.					
3.12 Public Services and Utilities							
Impact 3.12-11 - Electrical Services	The project has the potential to generate significant amounts of solid waste.	PSU-1: Recycle construction wastes whenever possible.	Recycle construction waste.	RCFC&WCD (Design and Construction Division)	None	During the construction period.	Monitor as needed during construction.
Impact 3.12-11 - Electrical Services	The project has the potential to result in a temporary disruption of electrical services.	PSU-2: Coordinate with utility companies and other relevant agencies before construction to locate existing utilities and avoid damage. Avoid the relocation of utilities whenever possible. Provide notification of any potential interruptions in services to the appropriate agencies.	Coordinate with utility companies. Provide notice of interruptions of services.	RCFC&WCD (Design and Construction Division)	None (coordination with public utility agency/company)	Prior to construction activities near public utility facilities.	Monitor as needed during construction.
Impact 3.12-11 - Electrical Services	Same	PSU-3: Develop a Construction and Staging Plan prior to beginning construction near existing public utility facilities.	Develop Construction and Staging Plan.	RCFC&WCD (Design and Construction Division)	None	Prior to construction activities near public utility facilities.	Monitor as needed during construction.

April 13, 2011

Eagle Canyon Dam and Debris Basin Project

In accordance with Section 509.a.7 of the Rules for the Riverside County Flood Control and Water Conservation District Implementing the California Environmental Quality Act, the General Manager-Chief Engineer of the Riverside County Flood Control and Water Conservation District hereby certifies that the Final Environmental Impact Report for the Eagle Canyon Dam and Debris Basin Project (SCH#2009061065) is an objective and accurate statement which has been completed in compliance with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines.



FER WARREN D. WILLIAMS
General Manager-Chief Engineer

P8\136512

California State Clearinghouse Handbook

Notice of Determination

Form C

To: Office of Planning and Research
 P.O. Box 3044
 Sacramento, CA 95812-3044

From: Riverside County Flood Control District
 1995 Market Street
 Riverside, CA 92501

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

Original Negative Declaration/Notice of
 Determination was routed to County
 Clerks for posting on.

4/28/11 kb
 Date Initial

Subject: Filing of Notice of Determination in Compliance with Section 21108 or 21152 of the Public Resources Code

Project Title

Eagle Canyon Dam and Debris Basin Project

State Clearinghouse Number

(If submitted to Clearinghouse)

2009061065

Responsible Agency

Contact Person

Kris Flanigan

Area Code/Telephone/Extension

951.955.8581

Project Location (include County)

The proposed project is located at the mouth of Eagle Canyon, southwest of East Palm Canyon Drive, in both the city of Palm Springs and the city of Cathedral City. The proposed project is located within Township 4 South, Range 5 East, and Sections 32 and 33 of the San Bernardino Base Line and Meridian, Cathedral City, California 7.5 Minute US Geological Survey (USGS) Topographic Quadrangle.

Project Description:

The proposed project consists of the construction, operation, and maintenance of an earthen dam, debris basin catchment, and approximately 3,900 lineal feet of underground storm drain system for the purpose of flood detention and flood hazard mitigation for businesses and residences downstream of the canyon.

This is to advise that the Riverside County Flood Control and Water Conservation District has approved the above described

Lead Agency Responsible Agency

project on April 26, 2011 and has made the following determinations regarding the

(Date)

above described project:

1. The project will have a significant effect on the environment.
2. An Environmental Impact Report 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 reporting or monitoring plan was adopted for this project.
5. A statement of Overriding Considerations was adopted for this project.
6. Findings were made pursuant to the provisions of CEQA.

This is to certify that the Final EIR with comments and responses and record of project approval is available to the General Public at: Riverside County Flood Control and Water Conservation District, 1995 Market Street, Riverside, CA 92501.

Karen Guter
 Signature (Public Agency)

APR 26 2011

Date

Board Assistant
 Title

Date received for filing at OPR:
 Revised January, 2001

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