

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

714B



FROM: General Manager-Chief Engineer

SUBMITTAL DATE:

November 8, 2011

SUBJECT: Arroyo Del Toro Channel, Stage 1
Project No. 3-0-00170-01

RECOMMENDED MOTION:

1. Adopt Resolution No. F2011-25 which finds that the project will not have a significant adverse effect upon the environment and is in compliance with the Western Riverside County Multiple Species Habitat Conservation Plan; and
2. Adopt a Mitigated Negative Declaration for the project based on the findings incorporated in the initial study and the conclusion that the project will not have a significant effect on the environment; and
3. Approve the Project Final Design and authorize the District to proceed therewith; and
4. Direct the Clerk of the Board to deliver the Mitigated Negative Declaration and the Notice of Determination to the office of the County Clerk and the State Office of Planning and Research for filing within five (5) working days of this Board meeting.

BACKGROUND:

See Page 2.

FINANCIAL:

N/A

Steve Thomas
FOR WARREN D. WILLIAMS
General Manager-Chief Engineer

**FINANCIAL
DATA**

Current F.Y. District Cost: N/A
Current F.Y. County Cost: N/A
Annual Net District Cost: N/A

In Current Year Budget: N/A
Budget Adjustment: N/A
For Fiscal Year: N/A

SOURCE OF FUNDS: N/A

**Positions To Be
Deleted Per A-30** ☐

Requires 4/5 Vote ☐

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

Ayes: Buster, Tavaglione, Stone and Ashley
Nays: None
Absent: Benoit
Date: November 8, 2011
xc: Flood, Recorder

Kecia Harper-Ihem
Clerk of the Board

By: *[Signature]*
Deputy

Prev. Agn. Ref.:

District: 1st

Agenda Number:

11.2

FORM APPROVED COUNTY COUNSEL
BY: *[Signature]* DATE: 10/25/11
MICHELLE CLACK

☐ Policy

☐ Consent

Dep't Recomm.:

☐ Policy

☐ Consent

Per Exec. Ofc.:

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

SUBJECT: Arroyo Del Toro Channel, Stage 1
Project No. 3-0-00170-01

SUBMITTAL DATE: November 8, 2011
Page 2

BACKGROUND:

The Arroyo Del Toro Channel project was identified in the 1986 Elsinore Valley Benefit Assessment Flood Control Bond Issue which was approved at a public hearing on August 5, 1986 in accordance with the requirements of CEQA and Section 18 of the District Act. The proposed project consists of the construction and subsequent operation and maintenance of a concrete rectangular channel, reinforced concrete box, an earthen trapezoidal channel, and two rock-lined energy dissipation structures which has a total system length of 3,775 lineal feet.

BOARD OF SUPERVISORSRIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

RESOLUTION NO. F2011-25
ADOPTING A MITIGATED NEGATIVE DECLARATION AND
APPROVING THE PROJECT FINAL DESIGN OF THE
ARROYO DEL TORO CHANNEL, STAGE 1 PROJECT

WHEREAS, the Arroyo Del Toro Channel, Stage 1 Project (hereinafter referred to as the "Project") is located in Zone 3 within the city of Lake Elsinore; and

WHEREAS, the proposed Project site is located near the intersection of State Route 74 (Riverside Drive) and Collier Avenue; and

WHEREAS, the proposed Project involves the construction and subsequent operation and maintenance of a concrete rectangular channel, a reinforced concrete box, an earthen trapezoidal channel, and two rock-lined energy dissipation structures and has a total system length of 3,775 lineal feet. The facility was identified in the 1986 Elsinore Valley Benefit Assessment Flood Control Bond Issue, and will provide flood protection for the local area including the Elsinore Valley Cemetery.

WHEREAS, a Section 18 Hearing was held on August 5, 1986 to adopt the 1986 Elsinore Valley Benefit Assessment Flood Control Bond Issue (Zone 3) in which Arroyo Del Toro Channel, Stage 1 is a component; and

WHEREAS, all requirements of the California Environmental Quality Act and the District Rules to Implement the Act have been met and the General Manager-Chief Engineer of the District has found that the Project will not have a significant adverse effect upon the environment and has completed a Mitigated Negative Declaration;

WHEREAS, the Initial Study/Mitigated Negative Declaration thoroughly addresses the environmental effects of implementing the Project, including the construction, operation, and maintenance of the various improvements identified therein; and

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

FORM APPROVED COUNTY COUNSEL
BY: 
DATE: 11/23/11
MICHELLE CLACK

1 WHEREAS, the matter was discussed fully with testimony and documentation
2 presented by the public and affected government agencies.

3 NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by the
4 Board of Supervisors of the Riverside County Flood Control and Water Conservation District
5 in regular session assembled on November 8, 2011 that:

6 1. The Project is within a Criteria Area set forth in and established by the Western
7 Riverside County Multiple Species Habitat Conservation Plan (MSHCP).

8 2. The Project is consistent with the Riparian/Riverine Area and Vernal Pool
9 requirements of the MSHCP. Pursuant to Section 6.1.2 of the MSHCP, Riparian/Riverine areas
10 are lands which contain habitat dominated by trees, shrubs, persistent emergents, or emergent
11 mosses and lichens, which occur close to or which depend upon soil moisture from a nearby
12 fresh water source, or areas with freshwater flow during all or a portion of the year. Vernal
13 Pools are seasonal wetlands that occur in depression areas that have wetlands indicators of all
14 three parameters (soils, vegetation, and hydrology) during the wetter portion of the growing
15 season. It has been determined that although the Project area does not contain any vernal pools,
16 the Project area does include Riparian/Riverine Area as defined by the MSHCP. Collier Marsh
17 is located at the western end of the proposed project alignment. In addition, an unvegetated
18 ephemeral streambed is located on the east side of Collier Avenue adjacent to the Elsinore
19 Valley Cemetery. An analysis of alternative channel alignments to avoid, minimize, and
20 mitigate effects to Riparian/Riverine areas was performed in accordance with MSHCP Section
21 6.1.2. The most cost-effective and least disruptive alternative was selected. Therefore, the
22 selected alignment implements the avoidance and minimization principle in compliance with
23 the MSHCP. The proposed channel alignment will result in permanent impacts of
24 approximately 1,790 lineal feet (.37 acre) to the unvegetated ephemeral streambed and
25 temporary impacts of approximately .41 acre to Collier Marsh. The alignment will add
26 approximately 380 lineal feet (.56 acre) of new earthen channel downstream of Riverside
27 Drive. The .37 acre permanent impact will be mitigated by the on-site creation of .56 acre of
28

1 streambed within the new flood control channel between Riverside Drive and Collier Marsh.
2 The temporary .41 acre impact will be mitigated by the on-site restoration of .41 acre of marsh
3 habitat in the terminal end of the channel that occurs within Collier Marsh, and by the
4 enhancement of .82 acre of marsh habitat located within Collier Marsh adjacent to the terminal
5 end of the channel. The proposed Project area was assessed for habitat that could support
6 riparian birds per MSHCP Section 6.1.2. The Project area was determined to contain habitat
7 suitable to support the least Bell's vireo, southwestern willow flycatcher, and western yellow-
8 billed cuckoo. Focused surveys were subsequently conducted. In accordance with MSHCP
9 Section 7.5.3 Construction Guidelines, the timing of construction activities will consider
10 seasonal requirements for breeding birds and migratory non-resident species. Habitat clearing
11 will be avoided during species active breeding season defined as March 1st to August 31st.

12 3. The Project is consistent with the Narrow Endemic Plant Species requirements of
13 the MSHCP. Pursuant to Section 6.1.3 of the MSHCP, habitat assessments and/or focused
14 surveys for certain narrow endemic plant species are required for properties within mapped
15 survey areas. The survey area maps have been reviewed and the Project is located within the
16 Narrow Endemic Plant Species Survey Area (NEPSSA), Group 1. Pursuant to Section 6.1.3 of
17 the MSHCP, habitat assessments and/or focused surveys for certain Narrow Endemic Plant
18 Species were conducted. According to the results of the habitat assessments and/or focused
19 surveys, no Narrow Endemic Plant Species were observed during the focused plant surveys.
20 Therefore, no further surveys or conservation measures are required.

21 4. The Project is consistent with the Urban/Wildlands Interface requirements of the
22 MSHCP. Section 6.1.4 of the MSHCP presents guidelines to minimize indirect effects of
23 projects in proximity to the MSHCP Conservation Area. This section provides mitigation
24 measures for impacts associated with: Drainage, Toxics, Lighting, Noise, Invasives, Barriers,
25 and Grading/Land Development. While the proposed Project is not adjacent to an existing
26 MSHCP Conservation Area, it is within a Criteria Cell and is in proximity to a Conservation
27 Area. As a storm drain system, the proposed Project will not conflict with the Guidelines
28

1 Pertaining to Urban/Wildlands Interface. Therefore, no further analysis or implementation of
2 any conservation measures is required.

3 5. The Project is consistent with the Database Updates/Additional Surveys
4 requirements of the MSHCP. Pursuant to Section 6.3.2 of the MSHCP, habitat assessments
5 and/or focused surveys for certain additional plant and animal species are required for
6 properties within mapped survey areas. The survey area maps have been reviewed and the
7 Project is only within a mapped survey area for the Burrowing Owl. A habitat assessment was
8 conducted for the Burrowing Owl pursuant to accepted protocol during July 2007 and August
9 2010. No Burrowing Owls or Burrowing Owl sign were observed within the surveyed area in
10 2007 or 2010. In accordance with the MSHCP, a pre-construction survey for Burrowing Owls
11 will be conducted within 30 days prior to disturbance of the property for construction purposes.
12 The Project satisfies the plant, mammal, amphibian, and bird Additional Survey Needs and
13 Procedures requirements of the MSHCP.

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

24 7. There is no substantial evidence in light of the whole record that the Project, with
25 mitigation, may have a significant effect upon the environment and the Mitigated Negative
26 Declaration represents the independent judgment of the District.

8. A Mitigated Negative Declaration is adopted based on the findings incorporated in the initial study and the conclusion that the Project will not have a significant effect on the environment.

9. The Project Final Design is approved and the District is hereby authorized to proceed with the Project.

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

ROLL CALL:

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

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

KECIA HARPER-IHEM, Clerk of said Board

By: _____
Deputy

Notice of Determination

To: Office of Planning and Research

From: Riverside County Flood Control
1995 Market Street
Riverside, CA 92501
Contact: Kris Flanigan
Phone: 951.955.8581For U.S. Mail:
P.O. Box 3044
Sacramento, CA 95812-3044Street Address:
1400 Tenth Street
Sacramento, CA 95814

Lead Agency (if different from above):

County Clerk
County of Riverside
2724 Gateway Drive
Riverside, CA 92507**SUBJECT:****Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.**State Clearinghouse Number (if submitted to State Clearinghouse): 2011081060 11/9/11**Project Title:**

Arroyo Del Toro Channel, Stage 1

Project Location (include county)

The proposed project is located within the city of Lake Elsinore in Riverside County. The project area is generally situated on the west side of the I-15 Freeway, east, south, and west of the intersection of Collier Avenue and Riverside Drive. The site is in the northeast quarter of Section 36, Township 5 South, Range 5 West, and the northwest quarter of Section 31, Township 5 South, Range 4 West as shown on the USGS 7.5-minute "Lake Elsinore" quadrangle map.

Project Description

The Arroyo Del Toro Channel project consists of the construction and subsequent operation and maintenance of a concrete rectangular channel, reinforced concrete box, an earthen trapezoidal channel, and two rock-lined energy dissipation structures and has a total system length of 3,775 lineal feet. The facility was identified in the 1986 Elsinore Valley Benefit Assessment Flood Control Bond Issue, and will provide flood protection for the local area including the Elsinore Valley Cemetery.

The rectangular channel alignment is parallel to the I-15 freeway for approximately 700 lineal feet, then heads southwest and transitions into a reinforced concrete box for approximately 900 lineal feet to Collier Avenue, crosses under Collier Avenue and turns northwest to State Route 74 (Riverside Drive) for approximately 1,000 lineal feet, crosses under State Route 74 (Riverside Drive), and transitions to an earthen trapezoidal channel that terminates in the Collier Marsh area. The system will be concrete lined except for approximately 660 lineal feet of the terminal end which will be earthen with two rock-lined energy dissipation structures. The terminal 280 lineal feet will be constructed in the existing Collier Marsh. Utility services to be relocated will include cable, telephone, gas, water and sewer within the road rights-of-way.

This is to advise that the Riverside County Flood Control and Water Conservation District has approved the above described
(☒ Lead Agency or ☐ Responsible Agency)

project on November 8, 2011 and has made the following determinations regarding the above described project:
(Date)

1. The project will not have a significant effect on the environment.
2. A Mitigated Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures were made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan was adopted for this project.
5. A statement of Overriding Considerations was not adopted for this project.
6. Findings were not made pursuant to the provisions of CEQA.

This is to certify that the Mitigated Negative Declaration is available to the General Public at: The Office of the Clerk to the Board, County Administrative Center, 4080 Lemon Street, Riverside, CA 92501.

Karen B. Jester
Signature (Public Agency)

Board Assistant
Title

November 8, 2011
Date

Date received for filing at OPR:

Authority cited: Sections 21083 and 21087, Public Resources Code.
Reference: Sections 21000-21174, Public Resources Code.

Revised 2004

NOV 08 2011 11.2

MITIGATED NEGATIVE DECLARATION

State Clearinghouse Number:
2011081060

Contact Person:
Kris Flanigan

Telephone Number:
951.955.8581
Email: kflaniga@rcflood.org

Lead Agency and Project Sponsor: Riverside County Flood Control and Water Conservation District

Address: 1995 Market Street

City: Riverside

Zip: 92501

Project Title and Description: Arroyo Del Toro Channel

The Arroyo Del Toro Channel project consists of the construction and subsequent operation and maintenance of a concrete rectangular channel, reinforced concrete box, an earthen trapezoidal channel, and 2 rock-lined energy dissipation structures which has a total system length of 3,775 lineal feet. The facility was identified in the 1986 Elsinore Valley Benefit Assessment Flood Control Bond Issue, and will provide flood protection for the local area including the Elsinore Valley Cemetery.

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Project Location:

The proposed project is located within the city of Lake Elsinore in Riverside County. The project area is generally situated on the west side of the I-15 Freeway, and east, south, and west of the intersection of Collier Road and State Route 74. The site is in the northeast quarter of Section 36, Township 5 South, Range 5 West, and the northwest quarter of Section 31, Township 5 South, Range 4 West as shown on the USGS 7.5-minute "Lake Elsinore" quadrangle map.

The General Manager-Chief Engineer of the Riverside County Flood Control and Water Conservation District has made a finding that the proposed Arroyo Del Toro Channel project will not have a significant adverse effect on the environment. An Initial Study supporting this finding is attached. This finding will become final upon adoption of this Mitigated Negative Declaration by the Board of Supervisors of the Riverside County Flood Control and Water Conservation District. Mitigation measures are as follows:

Refer to attached Project Features & Environmental Commitments Monitoring Program Table.

Signature: Steve Thomas
for WARREN D. WILLIAMS
General Manager-Chief Engineer

Dated: 10-27-11

The Board of Supervisors of the Riverside County Flood Control and Water Conservation District, assembled in regular session on November 8, 2011 has determined that the Arroyo Del Toro Channel project will not have a significant adverse effect on the environment and has adopted this Mitigated Negative Declaration.

Signature: Kecia Harper-Ihem, Deputy
KECIA HARPER-IHEM
Clerk of the Board

Dated: 11-14-11

Attachment

Copies to: 1) County Clerk
2) Flood Control

P8\141546

AGENDA
RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

November 8, 2011

- 11.1 **DAY CREEK MDP LINE C, STAGE 2 (PARCEL MAP NO. 29537, PARCEL 4)**
– Approve the Cooperative Agreement between the District, the City of Jurupa Valley, Jurupa Community Services District and Westates Holdings, L.L.C.
- 11.2 **ARROYO DEL TORO CHANNEL, STAGE 1** – Adopt Resolution No. F2011-25, adopt a Mitigated Negative Declaration, approve the Project Final Design.
- 11.3 **DAY CREEK – FRANK AVENUE STORM DRAIN** – Approve the low bid of \$163,163 submitted by Mamco, Inc. for the construction of the project.
- 11.4 **MURRIETA LINE F CHANNEL REPAIR** – Accept the project as constructed and execute the Notice of Completion.
- 11.5 **GEO-BOY BRUSH CUTTER TRACTOR** – Authorize the sole source purchase of tractor parts from Jarraff Industries, Inc.

CERTIFICATE OF POSTING

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

I, Virginia J. Bloom, City Clerk, do hereby certify that I am not
(NAME AND TITLE)
a party to the within action or proceeding; that on August 18, 2011, I posted a
(DATE)
copy of the following document:

**Notice of Intent to Adopt a Mitigated Negative Declaration for the Arroyo Del Toro
Channel Project.**

by posting at 130 S. Main Street, Lake Elsinore, CA 92530

Board Agenda Date: _____

Virginia J. Bloom
(Signature)

PCDOC/61022.MASTER

Notice of Intent to Adopt a Mitigated Negative Declaration for the
Arroyo Del Toro Channel Project

In accordance with the California Environmental Quality Act (CEQA), a draft Initial Study and Mitigated Negative Declaration (IS/MND) have been prepared by the Riverside County Flood Control and Water Conservation District (District) as the Lead Agency for the proposed Arroyo Del Toro Channel project. The Notice of Intent and the IS/MND may be accessed on the District's website at the following respective locations:

http://rcflood.org/Documents/PublicNotices/Arroyo_Del_Toro_Channel_-_Initial_Study-Mitigated_Negative_Declaration.pdf

http://rcflood.org/Documents/PublicNotices/Arroyo_Del_Toro_Channel_-_Notice_of_Intent_to_Adopt_Mitigated_Negative_Declaration.pdf

Additionally, the Notice of Intent and IS/MND may be accessed at the District office at 1995 Market Street, Riverside California, and at the City of Lake Elsinore City Hall at 130 South Main Street, Lake Elsinore, California.

The Arroyo Del Toro Channel project consists of the construction and subsequent operation and maintenance of a concrete rectangular channel, reinforced concrete box, an earthen trapezoidal channel, and two rock-lined energy dissipation structures which has a total system length of 3,775 lineal feet. The facility was identified in the 1986 Elsinore Valley Benefit Assessment Flood Control Bond Issue, and will provide flood protection for the local area including the Elsinore Valley Cemetery.

The rectangular channel alignment is parallel to the I-15 Freeway for approximately 700 lineal feet, then heads southwest and transitions into a reinforced concrete box for approximately 900 lineal feet to Collier Avenue, crosses under Collier Avenue and turns northwest to State Route 74 (Riverside Drive) for approximately 1,000 lineal feet, crosses under State Route 74 (Riverside Drive), and transitions to an earthen trapezoidal channel that terminates in the Collier Marsh area. The system will be concrete lined except for approximately 660 lineal feet of the terminal end which will be earthen bottom with two rock-lined energy dissipation structures. The terminal 280 lineal feet will be constructed in the existing Collier Marsh. Utility services to be relocated will include cable, telephone, gas, water and sewer within the road rights-of-way.

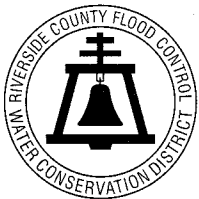
The proposed project is located within the city of Lake Elsinore in Riverside County. The project area is generally situated on the west side of the I-15 Freeway, and east, south and west of the intersection of Collier Road and State Route 74. The site is in the northeast quarter of Section 36, Township 5 South, Range 5 West, and the northwest quarter of Section 31, Township 5 South, Range 4 West as shown on the USGS 7.5-minute "Lake Elsinore" quadrangle map.

Significant environmental impacts were not identified and the District intends to adopt a Mitigated Negative Declaration per the requirements of CEQA. The 30-day public review period begins on August 17, 2011. **Any comments regarding the proposed project or the IS/MND must be submitted to the District by September 16, 2011.** Questions regarding this matter may be directed to Tom Rheiner at 951.955.4643 or tmrheiner@rcflood.org or Kris Flanigan at 951.955.8581 or kflaniga@rcflood.org.

Any written responses should make reference to Arroyo Del Toro Channel project.

Please submit any written comments to:

Riverside County Flood Control
and Water Conservation District
Attn: Environmental Regulatory Services II
1995 Market Street
Riverside, CA 92501



M E M O R A N D U M
RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

DATE: November 1, 2011

TO: Ivan Chand, Finance Director

FROM: Stuart E. McKibbin, Chief of Regulatory Division *SE McKibbin*

RE: Arroyo Del Toro Channel, Stage 1
Project No. 3-0-00170-01
Authorization to Bill for CEQA Notice of Determination Posting

Please prepare an Authorization to Bill Form in the amount of \$2,108.00 payable to the Riverside County Clerk-Recorder's Office for the final CEQA posting for the referenced project. The charge number for the project is 223-3-8-00170-01-30. Copies of the applicable fee schedules are attached for your information.

If you have any questions or need any additional information, please contact Tom Rheiner at 54643 or Kris Flanigan at 58581.

Thank you.

Attachments

TMR:mcv
P8\141771

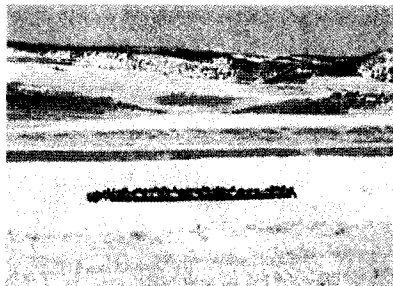
*OK
SME
11/1/11*



California Environmental Quality Act (CEQA)

CEQA DOCUMENT FILING FEES

Pursuant to Fish and Game Code Section 711.4, the Department shall impose and collect a filing fee to defray the costs of managing and protecting California's vast fish and wildlife resources, including, but not limited to, consulting with other public agencies, reviewing environmental documents, recommending mitigation measures, and developing monitoring programs. For projects with local lead agencies, the county clerk collects any applicable filing fees at the time the notice of determination is filed. The project proponent is responsible for payment of the filing fee.



On September 29, 2006 Senate Bill 1535 was passed increasing the amounts of filing fees collected by the Department, and requires the Department to adjust the fees annually pursuant to Fish and Game Code Section 713. The annual fee adjustments are based on changes in the Implicit Price Deflator for State and Local Government Purchases of Goods and Services, as published by the U.S. Department of Commerce. The table below contains the 2010 CEQA filing fees, and the fees that become effective on January 1, 2011. Annual filing fee adjustments are made available on the Department website prior to November 1 of the year before they become effective.

The Department recently updated Title 14, Section 753.5 of the California Code of Regulations (CCR). The updated regulations address filing fees and No Effect Determinations and became effective on July 16, 2009. The regulations were updated to conform with existing law (Fish and Game Code section 711.4), reflect current Department practice, and clarify the procedures for no effect determinations.

[Full text of updated regulations](#)

Filing Fees for CEQA Documents

CEQA Document	2010 Filing Fee	Fee Effective January 1, 2011
Negative Declaration (ND)	\$2,010.25	\$2,044.00
Mitigated Negative Declaration (MND)	\$2,010.25	\$2,044.00
Environmental Impact Report (EIR)	\$2,792.25	\$2,839.25
Environmental Document pursuant to a Certified Regulatory Program (CRP)*	\$949.50	\$965.50
County Clerk Processing Fee	\$50.00	\$50.00

* Including, but not limited to, the Forest Practice Rules and timber harvest plans, and other state agency regulatory programs (CEQA Guidelines 21080.5).

No Effect Determinations

The CEQA filing fee will be waived if a project will have no effect on fish and wildlife (Fish and Game Code section 711.4(c)(2)(A)). Projects that are statutorily or categorically exempt from CEQA are also not subject to the filing fee, and do not require a no effect determination (sections 15260 through 15333, Title 14, CCR, Fish and Game Code Section 711.4(d)(1)). Regional Department environmental review and permitting staff are responsible for determining whether a project within their region will qualify for a no effect determination and if the CEQA filing fee will be waived.

For more information about requesting a no effect determination, [click here](#).

For more specific information please see the FAQ, or contact the DFG Regional Office where the project is located.

Instructions for County Clerks

CEQA

Environmental Review

- The California Environmental Quality Act
- External CEQA Project Review Procedures
- CEQA Filing Fees
- NEW Process for No Effect Determinations
- ▶ Federal Project Review
- ▶ Department of Fish and Game's Internal CEQA Procedures
- ▶ Other Types of CEQA Project Reviews

Related Links

- California Law CEQA consists of Public Resources Code sections 21000-21177
- CEQA Statutes and Guidelines CEQA code and reference information (note: some information is out of date)
- NEW CEQA FAQ (PDF) Frequently Asked Fish and Game CEQA Questions
- CEQA and Other Department Public Notices
- SB 1535 (PDF) Changes in filing fees
- Fish and Game Code Section 711.4 and Section 713 Legal information on filing fees

COUNTY CLERK FEE SCHEDULE, continued...

Surety Fees

Power of Attorney for Admitted Surety Insurer - One name.....	\$14.00
Power of Attorney for Admitted Surety Insurer - Each additional name.....	14.00
Financial Statement - Admitted Surety Insurer.....	3.50
Revocation of Power of Attorney.....	5.00

County Clerk's Copy and Certification Fees

Certifying a copy of any filed paper.....	1.75
FAX Copy (Records in office).....	2.00
FAX Copy (Records stored off-site).....	5.00
Copy, Photocopy - Per Page.....	0.50
Comparing Fee - Per Page.....	0.50
Certification of official capacity of Public Officer.....	2.25
Certificate of Proof of Authority of Surety to Act.....	3.00
Certification of Notary Signature (one name).....	10.00
Certification of Notary Signature (additional requests, same notary).....	5.00
Certification of Translation.....	10.00
Acknowledgement in criminal/adoption cases.....	no fee
Requests via the Public Records Act - First Page.....	0.50
Requests via the Public Records Act - Per Additional Page.....	0.10

Filing Fees

Administration of Oath for Humane Officer.....	5.00
Fish & Game documentary handling fee.....	64.00
Laundry supply name, mark, or device.....	1.00
All papers for which a fee is not elsewhere provided.....	2.25

NOTE:

There is a \$31.00 fee for all returned checks (Ordinance 729.4).

No documents will be returned unless a stamped, self-addressed envelope is included.

DISCLAIMER: The information contained herein was valid at the time of publication. The Assessor-County Clerk-Recorder reserves the right to modify, change or make improvements at any time, without notice, and assumes no liability for damages incurred directly or indirectly as a result of errors, omissions or discrepancies.

**Riverside County Flood Control
and Water Conservation District**

Riverside, California

FINAL

**CEQA
INITIAL STUDY**

Arroyo Del Toro Channel

ZONE 3

November 2011

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

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

**Table 1
PROJECT FEATURES & ENVIRONMENTAL COMMITMENTS
MONITORING PROGRAM TABLE**

Issue	Potential Impact	Project Feature, Environmental Commitment, Avoidance, Minimization, and/or Mitigation Measures	Action	Implementation Responsibility	Governing Agency	Implementation Timing
Biology Resources	Substantial effect on species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations.	MM Bio 1: A pre-construction presence/absence survey for Burrowing Owl within suitable habitat shall be conducted within 30 days prior to ground disturbance. Take of active nests shall be avoided. Passive relocation (i.e., the use of one-way doors and collapse of burrows) will occur when owls are present outside the nesting season.	Perform pre-construction survey.	RCFC&WCD	Not applicable (N/A)	Within 30 days prior to ground disturbance for construction.
Biology Resources	A substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.	MM Bio 2: Timing of construction activities will consider seasonal requirements for breeding birds and migratory non-resident species. Habitat clearing will be avoided during species active breeding season defined as March 1 st to August 31 st .	Schedule vegetation clearing outside of the nesting season.	RCFC&WCD	N/A	Prior to vegetation clearing.
Biology Resources	Substantial effect on biological resources involved within a jurisdictional water feature as defined by federal, state, or local regulations.	MM Bio 3: The mitigation described in the Conceptual Restoration Plan shall be implemented to offset the proposed project's temporary impacts to .41 acre of wetland and permanent impacts to .37 acre of the unvegetated ephemeral streambed. The temporary impacts to the .41 acre valley freshwater marsh and cismontane alkali marsh will be mitigated by on-site restoration of marsh habitat in the terminal end of the channel that occurs within Collier Marsh. This restoration will be performed by reseeding .41 acre with native wetland plant material (1:1 mitigation ratio). Temporary impacts to this area will also be mitigated by enhancement of .82 acre (2:1 mitigation ratio) of marsh habitat by removal of invasive plants located within Collier Marsh adjacent to the terminal end of the channel.	Implement mitigation as described in the plan.	RCFC&WCD	CDFG, RWQCB, USACOE	During the construction period and following construction for 5-year period as specified in the Conceptual Restoration Plan.

Issue	Potential Impact	Project Feature, Environmental Commitment, Avoidance, Minimization, and/or Mitigation Measures	Action	Implementation Responsibility	Governing Agency	Implementation Timing
		Permanent impacts to the unvegetated ephemeral streambed will be mitigated by the on-site creation of .56 acre (1.5:1 mitigation ratio) of streambed within the newly constructed flood control channel between Riverside Drive and Collier Marsh. This is planned for an area that is currently upland.				
Cultural Resources	Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5 of the California Code of Regulations.	MM Cultural 1: If any historical resources are discovered within the project limits during construction, ground disturbance in the vicinity of the find shall cease, and a qualified historical resources specialist shall assess the significance of the find and, if necessary, make recommendations for appropriate treatment measures. Any discovered resources that merit long term consideration shall be collected and reported in accordance with current protocols.	Cease ground disturbance activities in the vicinity of the discovery until a qualified historical resources specialist can assess the significance of the find.	RCFC&WCD	N/A	Throughout construction.
Cultural Resources	Ground disturbance activities may uncover archeological resources.	MM Cultural 2: A qualified archeological resources specialist shall perform periodic inspections of grading operations between Riverside Drive and Collier Avenue. The frequency of inspections will depend on the rate of excavation, materials being excavated, and the abundance of artifacts uncovered. The archeologist shall evaluate, collect, document, and curate any findings.	Ensure that a qualified archeological resources specialist is retained to perform periodic inspections of grading operations between Riverside Drive and Collier Avenue.	RCFC&WCD	N/A	Throughout construction.
Cultural Resources	Cause a substantial adverse change in the significance of an archeological resource pursuant to Section 15064.5 of the California Code of Regulations.	MM Cultural 3: If archeological resources are exposed during construction, ground disturbance in the vicinity of the discovery will cease immediately and a qualified archeological resources specialist will evaluate the resources. If the find is determined to be a historical or unique archeological resource as defined in Section 15064.5 of the California Code of Regulations, avoidance or other appropriate measures shall be implemented in accordance with standard archaeological management requirements.	Cease ground disturbance activities in the vicinity of the discovery until a qualified archaeologist can assess the significance of the find.	RCFC&WCD	N/A	Throughout construction.
Cultural Resources	Directly or indirectly destroy a unique paleontological resource or site or unique geological feature.	MM Cultural 4: If paleontological resources are exposed during ground excavation disturbance, ground disturbance activities in the vicinity of the discovery will be terminated immediately until a qualified paleontological resources specialist can evaluate the significance of the find and, if necessary, develop appropriate treatment measures.	Cease ground disturbance activities in the vicinity of the discovery until a qualified paleontologist can assess the significance of the find.	RCFC&WCD	N/A	Throughout construction.

Issue	Potential Impact	Project Feature, Environmental Commitment, Avoidance, Minimization, and/or Mitigation Measures	Action	Implementation Responsibility	Governing Agency	Implementation Timing
Cultural Resources	Disturb any human remains, including those interred outside of formal cemeteries.	MM Cultural 5: Dogs trained to detect historical human remains shall be used in the portion of the project along the east side of the cemetery prior to construction.	Use dogs to detect human remains outside the boundaries of the cemetery prior to vegetation clearing and construction.	RCFC&WCD	N/A	Prior to construction.
Cultural Resources	Disturb any human remains, including those interred outside of formal cemeteries.	MM Cultural 6: If human remains in the vicinity of the cemetery are encountered prior to or during construction, work will be halted until a decision is made with regard to the disposition of the remains. If human remains are discovered in a location other than a dedicated cemetery, the provisions and regulations of Health and Safety Code 7050.5, CEQA 15064.5(c), and Public Resources Code 5097.98 will be followed. The fieldwork at the site will cease immediately if any human remains are encountered. The Riverside County Coroner will be notified immediately. If the Coroner determines that the remains should be treated as historic resources, they would defer to SHPO with regard to treatment of the remains.	Cease ground disturbance and notify the County Coroner's Office for proper identification of human remains found onsite. Contact NAHC to assist in disposition of human remains.	RCFC&WCD	Riverside County Coroner and NAHC	Prior to and during construction.
Hazards and Hazardous Materials	Construction activity may uncover potentially hazardous materials.	MM Hazards 1: If previously unknown hazardous wastes/materials are encountered in the field during construction, ground disturbance activities in the vicinity of the discovery shall cease until a qualified hazardous materials management specialist can assess the potentially hazardous substances and, if necessary, develop appropriate management measures for the treatment and disposal of the materials in accordance with applicable laws and regulations set by the appropriate regulatory agencies.	If potentially hazardous materials are uncovered, cease ground disturbance near the material until a qualified hazardous materials specialist assesses the materials and provides recommendations for their treatment and disposal.	RCFC&WCD	To be determined by hazardous materials specialist.	During excavation activities.
Noise	Exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels.	MM Noise 1: Use of heavy construction equipment shall be limited to between the hours of 7:00 a.m. to 5:00 p.m. and prohibited on weekends and holidays, unless otherwise approved by the General Manager-Chief Engineer.	Construction will occur between the hours of 7:00 a.m. and 5:00 p.m. on weekdays.	RCFC&WCD	N/A	During construction.

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

California Environmental Quality Act (CEQA) Initial Study

1. **Project title:** Arroyo Del Toro Channel
2. **Lead agency name and address:** Riverside County Flood Control
and Water Conservation District
3. **Contact person email address and phone number:** Kris Flanigan: kflaniga@rcflood.org
951.955.8581

4. **Project location:**

The proposed project is located within the city of Lake Elsinore in Riverside County. The project area is generally situated on the west side of the I-15 Freeway, and east, south, and west of the intersection of Collier Road and State Route 74. The site is in the northeast quarter of Section 36, Township 5 South, Range 5 West, and the northwest quarter of Section 31, Township 5 South, Range 4 West as shown on the USGS 7.5-minute "Lake Elsinore" quadrangle map.

5. **Project sponsor's name and address:** N/A

6. **General plan designation:**

The City of Lake Elsinore General Plan designates the project area as Commercial Manufacturing, General Manufacturing, and Freeway Business.

7. **Description of project:** *(Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or offsite features necessary for its implementation. Attach additional sheets if necessary.)*

The Arroyo Del Toro Channel project consists of the construction and subsequent operation and maintenance of a concrete rectangular channel, reinforced concrete box, an earthen trapezoidal channel, and 2 rock-lined energy dissipation structures which has a total system length of 3,775 lineal feet. The facility was identified in the 1986 Elsinore Valley Benefit Assessment Flood Control Bond Issue, and will provide flood protection for the local area including the Elsinore Valley Cemetery.

The rectangular channel alignment is parallel to the I-15 freeway for approximately 700 lineal feet, then heads southwest and transitions into a reinforced concrete box for approximately 900 lineal feet to Collier Avenue, crosses under Collier Avenue and turns northwest to State Route 74 (Riverside Drive) for approximately 1,000 lineal feet, crosses under State Route 74 (Riverside Drive), and transitions to an earthen trapezoidal channel that terminates in the Collier Marsh area. The system will be concrete lined except for approximately 660 lineal feet of the terminal end which will be earthen with 2 rock-lined energy dissipation structures. The terminal 280 lineal feet will be constructed in the existing Collier Marsh. Utility services to be relocated will include cable, telephone, gas, water, and sewer.

Earlier Analyses Used: None

Impacts Adequately Addressed in Earlier Analyses: N/A

Mitigation Measures from Earlier Analysis: N/A

8. Surrounding land uses and setting: *(Briefly describe the project's surroundings)*

The upstream end of the proposed channel will be located within Caltrans' right-of-way at the I-15 Freeway. The existing surrounding land uses are characterized as commercial manufacturing and institutional uses, with the Elsinore Valley Cemetery adjacent to the proposed channel alignment between the I-15 Freeway and Collier Avenue. An existing ephemeral drainage course runs adjacent to the cemetery. The proposed channel will cross underneath Collier Avenue which is a two-lane, paved roadway and a section of State Route 74. The channel will then continue underground through vacant, undeveloped parcels designated as general commercial and which are vegetated primarily by weedy rural species. The channel will pass beneath Riverside Drive which is also a two-lane roadway and section of State Route 74, and will terminate in Collier Marsh, a jurisdictional wetland/water of the U.S.

9. Other public agencies whose approval is required: *(e.g., permits, financing approval, or participation agreement.)*

Federal Agencies *(not "public agencies" as defined by CEQA or required to take a CEQA action)*

U. S. Army Corps of Engineers (Corps): Clean Water Act Section 404 Permit

State Agencies

California Department of Transportation (Caltrans): Encroachment Permit

California Department of Fish and Game (CDFG): Section 1602 Streambed Alteration Agreement

Regional Water Quality Control Board – Santa Ana Region (RWQCB): Clean Water Act Section 401 Water Quality Certification

City/County Agencies

Western Riverside County Regional Conservation Authority: Joint Project Review

Financing Approval or Participation Agreements

N/A

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

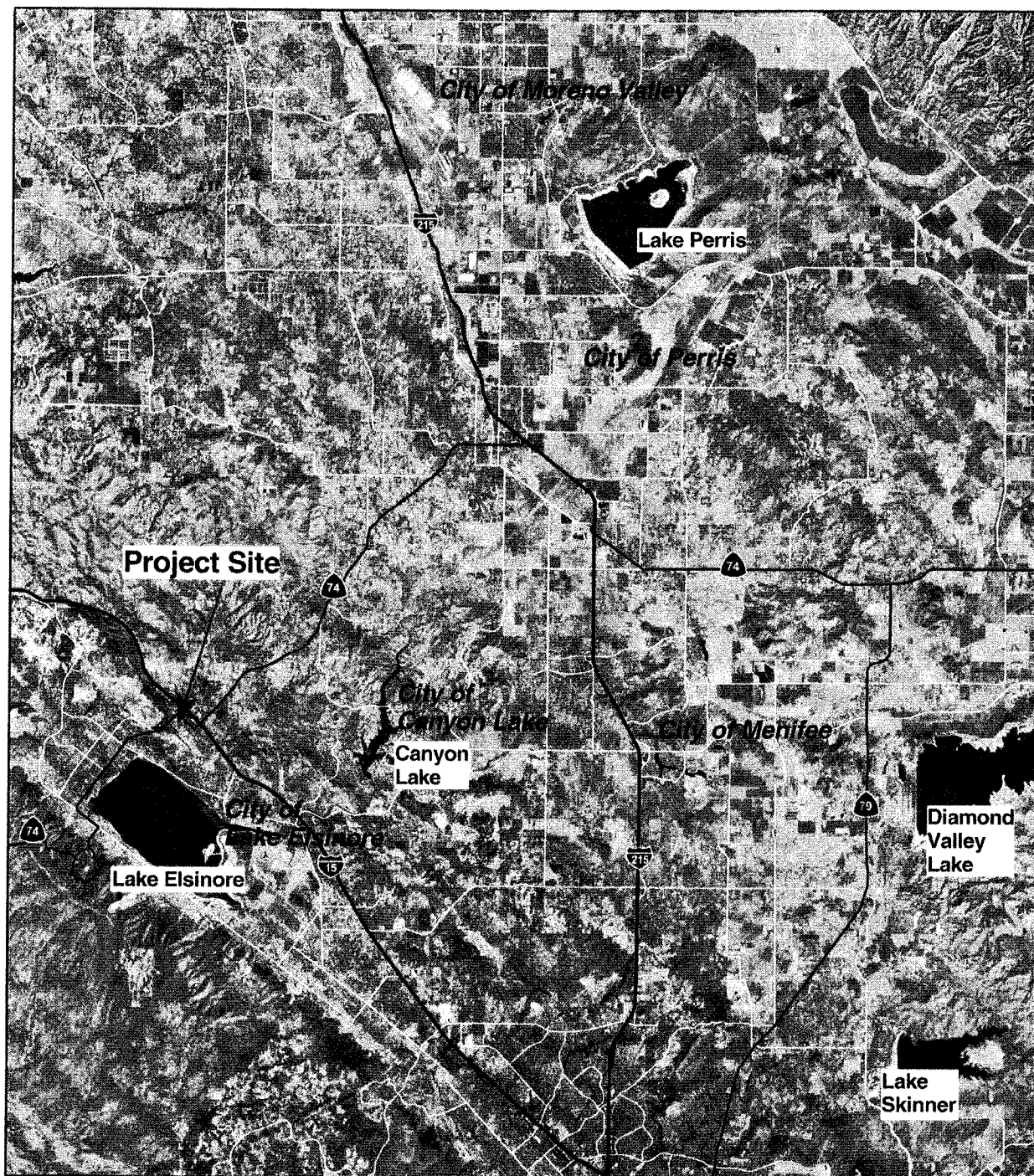
The environmental factors, as checked below, would potentially be affected by this project.

<input type="checkbox"/> Aesthetics	<input type="checkbox"/> Mineral Resources
<input type="checkbox"/> Agriculture Resources	<input checked="" type="checkbox"/> Noise
<input type="checkbox"/> Air Quality and Greenhouse Gas Emissions	<input type="checkbox"/> Population/Housing
<input checked="" type="checkbox"/> Biological Resources	<input type="checkbox"/> Public Services
<input checked="" type="checkbox"/> Cultural Resources	<input type="checkbox"/> Recreation
<input type="checkbox"/> Geology/Soils	<input type="checkbox"/> Transportation/Traffic
<input checked="" type="checkbox"/> Hazards & Hazardous Materials	<input type="checkbox"/> Utilities/Service Systems
<input type="checkbox"/> Hydrology/Water Quality	<input type="checkbox"/> Mandatory Findings of Significance
<input type="checkbox"/> Land Use/Planning	

Evaluation of Environmental Impacts:

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (*e.g., the project falls outside a fault rupture zone*). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (*e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis*).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "Negative Declaration: No Impact or Less Than Significant" applies when the proposed project will not have a significant effect on the environment, does not require the incorporation of mitigation measures, and does not require the preparation of an Environmental Impact Report. The lead agency must briefly describe the reasons that a proposed project will not have significant effect on the environment and does not require the preparation of an environmental impact report.
5. "Mitigated Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced any effect from "Potentially Significant Impact" to a "Less Than Significant Impact". The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses", as described in (5) below, may be cross-referenced).

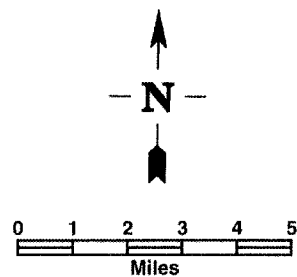
6. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. (CEQA Guidelines Section 15063(c)(3)(D)). The use of an earlier analysis as a reference should include a brief discussion that identifies the following:
 - a. Earlier Analysis Used. Identify and state where they are available for review.
 - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated", describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
7. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (*e.g., general plans, zoning ordinances*). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
8. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
9. The explanation of each issue should identify:
 - a. The significance criteria or threshold, if any, used to evaluate each question; and
 - b. The mitigation measure identified, if any, to reduce the impact to less than significance.



Arroyo Del Toro Channel

Vicinity Map

Figure 1



ARROYO DEL TORO CHANNEL

STAGE 1
PROJECT NO.
3-0-0170

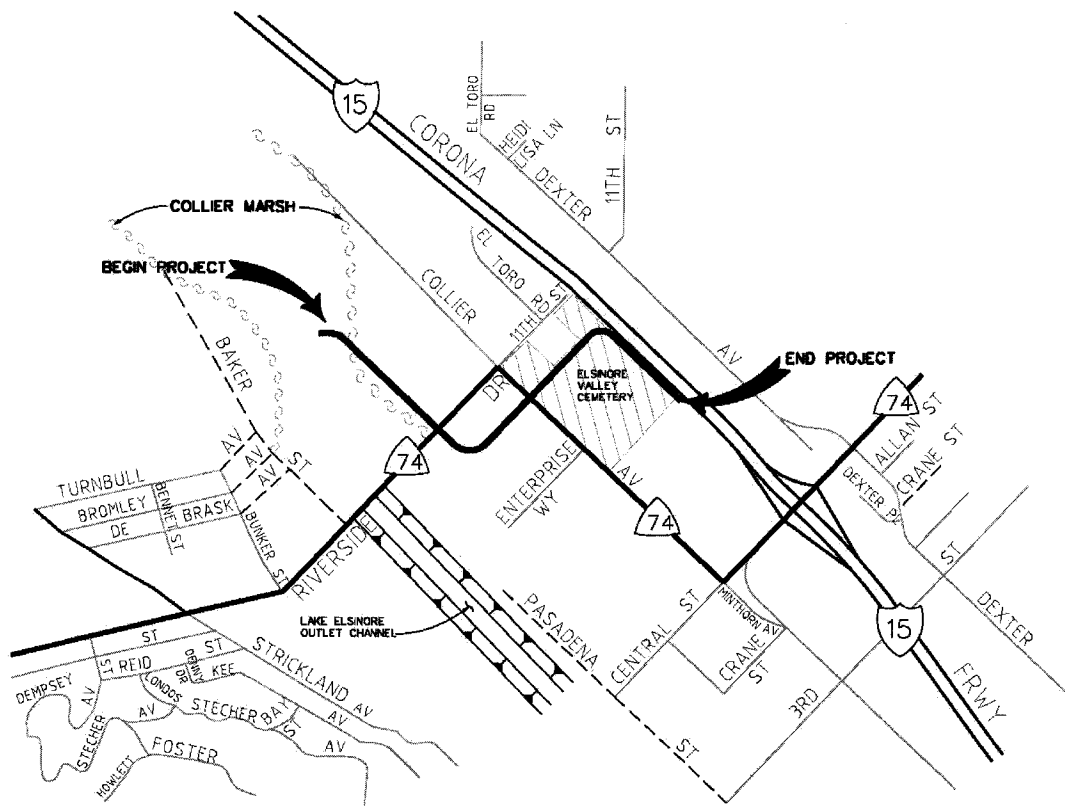


FIGURE 2

Arroyo Del Toro Channel (Proposed Alignment)



Figure 3a. View southeast, culverts on west side of I-15 Freeway, December 23, 2010



Figure 3b. View southwest, ephemeral streambed adjacent to Elsinore Valley Cemetery, December 23, 2010

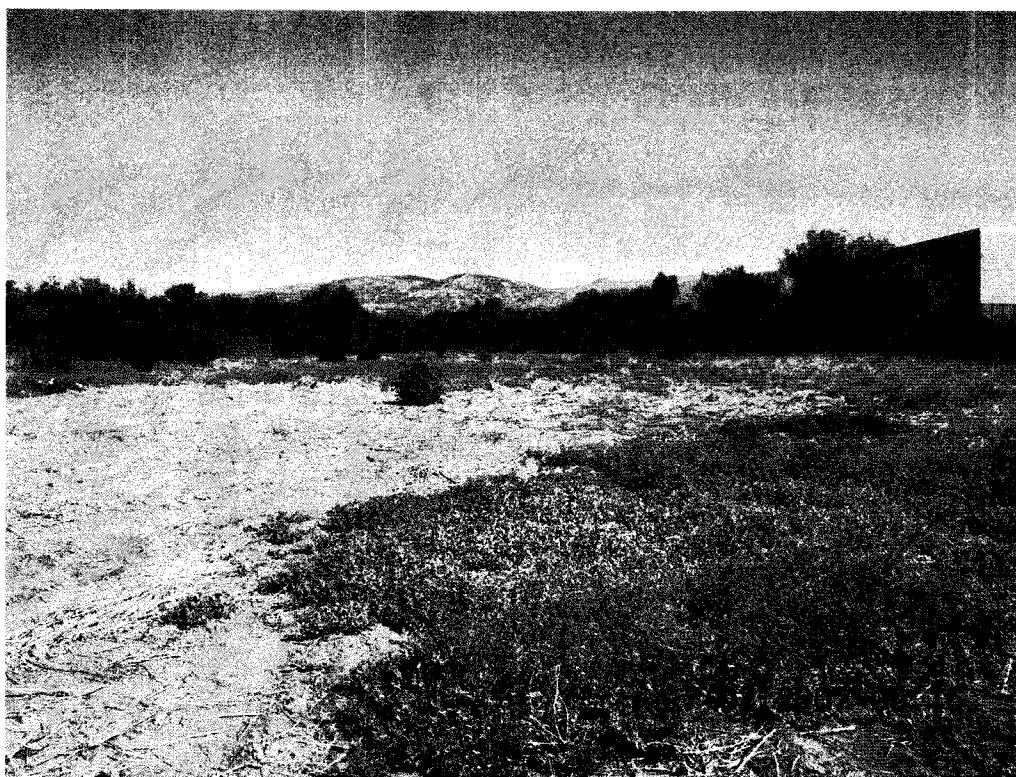


Figure 3c. View northwest, Collier Marsh on northwest side of Riverside Drive, July 2, 2007



Figure 3d. View northwest, Collier Marsh on northwest side of Riverside Drive, July 2, 2007

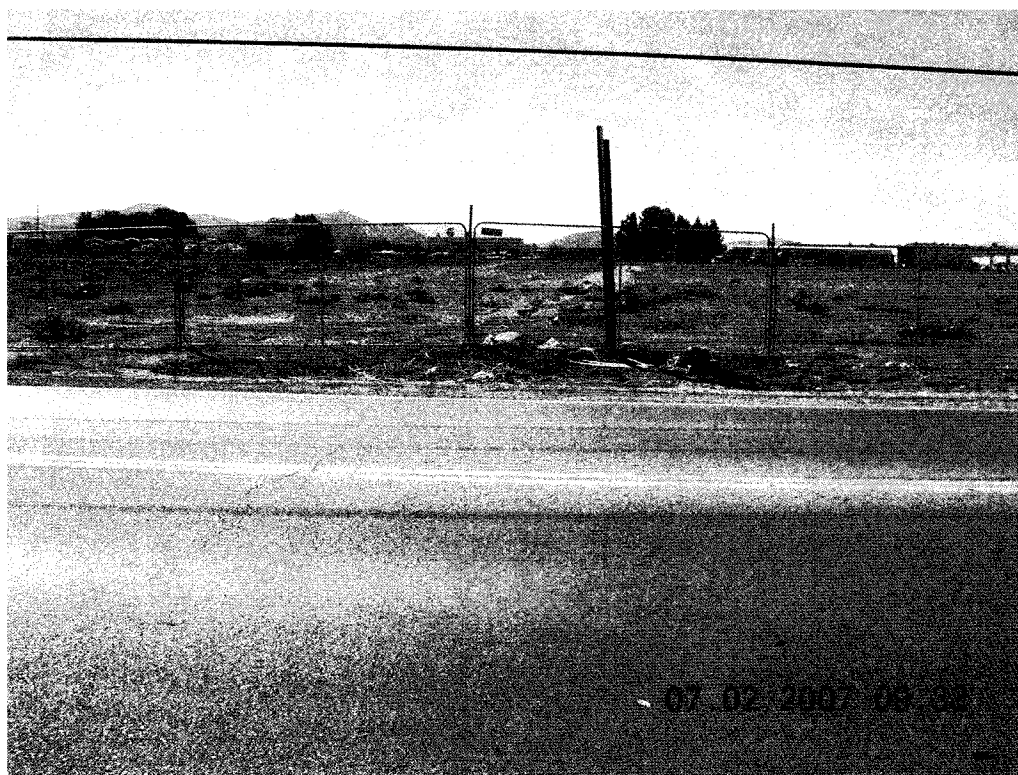


Figure 3e. View southeast, private property on southeast side of Riverside Drive, July 2, 2007

I. AESTHETICS. Would the project:

- | | | | | | |
|----|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) | Have a substantial adverse effect on a scenic vista? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) | Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) | Substantially degrade the existing visual character or quality of the site and its surroundings? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) | Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

II. AGRICULTURAL & FOREST RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

- | | | | | | |
|----|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) | Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) | Conflict with existing agricultural zoning, agricultural use or land subject to a Williamson Act contract or land within a Riverside County Agricultural Preserve? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) | Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) | Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) | Result in the loss of forest land or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

III. AIR QUALITY AND GREENHOUSE GAS EMISSIONS. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

- | | | | | | |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) | Conflict with or obstruct implementation of the applicable air quality plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

		Potential Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
b)	Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Result in cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (<i>including releasing emissions which exceed quantitative thresholds for ozone precursors</i>)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f)	Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g)	Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

IV. BIOLOGICAL RESOURCES. Would the project:

- | | | | | | |
|----|---|--------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| a) | Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) | Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) | Have a substantial adverse effect on biological resources involved within a jurisdictional water feature as defined by federal, state or local regulations (e.g., Section 404 of the Clean Water Act, Section 401 of the Clean Water Act, Section 1602 of California Fish and Game Code, Porter-Cologne Water Quality Control Act, etc.) through direct removal, filing, hydrological interruption, or other means? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) | Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) | Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

		Potential Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
f)	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

V. CULTURAL RESOURCES. Would the project:

- | | | Potential
Significant
Impact | Potentially
Significant
Unless
Mitigation
Incorporated | Less than
Significant
Impact | No
Impact |
|----|--|------------------------------------|--|-------------------------------------|--------------------------|
| a) | Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) | Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) | Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) | Disturb any human remains, including those interred outside of formal cemeteries? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

VI. GEOLOGY AND SOILS. Would the project:

- | | | | | | |
|------|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) | Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving: | | | | |
| i) | Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a Known fault? Refer to Division of Mines and Geology Special Publication 42. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ii) | Strong seismic ground shaking? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iii) | Seismic-related ground failure, including liquefaction? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iv) | Landslides or mudflows? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) | Result in substantial changes in topography, unstable soil conditions from excavation, grading or fill, or soil erosion or the loss of topsoil? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) | Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) | Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994 or most current edition), creating substantial risks to life or property? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

		Potential Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
e)	Have soils incapable of adequately supporting any structures, fill or other improvements associated with the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

VII. HAZARDS AND HAZARDOUS MATERIALS. Would the project:

- | | | | | | |
|----|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) | Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) | Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) | Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) | Be located on a site, which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) | For a project located within an airport land use plan, or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) | For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) | Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| h) | Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where Wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

VIII. HYDROLOGY AND WATER QUALITY. Would the project:

- | | | | | | |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) | Violate or conflict with any adopted water quality standards or waste discharge requirements? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) | Result in substantial discharges of typical stormwater pollutants (<i>e.g. sediment from construction activities, hydrocarbons, and metals from motor vehicles, nutrients and pesticides from landscape maintenance activities, metals of other pollutants from industrial operation,</i>) or substantial changes to surface water quality including, but not limited to, temperature, dissolved oxygen, pH, or turbidity? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

		Potential Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
c)	Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (<i>e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted</i>)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of a watercourse or wetland, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f)	Create or contribute runoff water, which would exceed the capacity of existing or planned stormwater drainage systems?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g)	Place housing within a 100-year flood hazard area as mapped on Federal Flood Hazard boundary of Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h)	Place structures or fill within a 100-year flood hazard area, which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i)	Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j)	Expose people or structures to a significant risk of loss, injury or death involving inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

IX. LAND USE PLANNING. Would the project:

- | | | | | | |
|----|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) | Physically divide an established community? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) | Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

X. MINERAL RESOURCES. Would the project:

- | | | | | | |
|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) | Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

		Potential Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
b)	Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

XI. NOISE. Would the project result in:

- | | Potential
Significant
Impact | Potentially
Significant
Unless
Mitigation
Incorporated | Less than
Significant
Impact | No
Impact |
|---|------------------------------------|--|-------------------------------------|-------------------------------------|
| a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

XII. POPULATION AND HOUSING. Would the project:

- | | Potential
Significant
Impact | Potentially
Significant
Unless
Mitigation
Incorporated | Less than
Significant
Impact | No
Impact |
|--|------------------------------------|--|------------------------------------|-------------------------------------|
| a) Induce substantial population growth in an area, either directly (<i>for example, by proposing new homes and businesses</i>) or indirectly (<i>for example, through extension of roads or other infrastructure</i>) resulting in substantial adverse physical impacts or conflicts with the adopted general plan, specific plan, or other applicable land use or regional plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

XIII. PUBLIC SERVICES

- a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services:

	Potential Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XIV. RECREATION

- | | | | | | |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) | Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) | Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

XV. TRANSPORTATION AND TRAFFIC. Would the project:

- | | | | | | |
|----|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) | Conflict with an adopted plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) | Conflict with an adopted congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the appropriate congestion management agency for designated roads or highways? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) | Substantially increase hazards due to a design feature (<i>e.g., sharp curves or dangerous intersections</i>) or incompatible uses (<i>e.g., farm equipment</i>)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) | Would the project result in inadequate emergency access? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) | Would the project result in inadequate parking capacity? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) | Conflict with adopted policies, plans, or programs regarding public transit, bicycle, pedestrian facilities, or other alternate transportation or otherwise decrease the performance or safety of such facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

XVI. UTILITIES AND SERVICE SYSTEMS. Would the project:

- | | | | | | |
|----|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) | Impact the following facilities requiring or resulting in the construction of new facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | | | | |
| | Electricity | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| | Natural Gas | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| | Communication System | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| | Street lighting | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| | Public facilities, including roads and bridges | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) | Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) | Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) | Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) | Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f) | Comply with federal, state, and local statutes and regulations related to solid waste? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

XVII. MANDATORY FINDINGS OF SIGNIFICANCE.

- | | | | | | |
|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) | Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) | Does the project have impacts that are individually limited, but cumulatively considerable? (<i>"Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.</i>) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

	Potentially Significant Unless Mitigation Incorporated	Potential Significant Impact	Less than Significant Impact	No Impact
--	--	------------------------------------	------------------------------------	--------------

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	-------------------------------------	--------------------------

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets, if the effect is a "potentially significant impact" or "potentially significant unless mitigated." An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project.

Steve Thomas
Signature

10-27-2011
Date

For WARREN D. WILLIAMS, General Manager-Chief Engineer
Printed Name and Title

ENVIRONMENTAL EVALUATION

I. AESTHETICS. Would the project:

Ia) Have a substantial adverse effect on a scenic vista?

No Impact. The proposed project will be constructed along the path of an existing ephemeral unvegetated streambed which is located adjacent to commercial development and a cemetery. The proposed project alignment will cross below Collier Avenue, through an undeveloped parcel, then cross below Riverside Drive and onto Collier Marsh. Additionally, the facility will be below the ground surface with the exception of a chain link fence. There are no scenic resources located within the project area. Thus, a scenic vista will not be impacted.

Source: Project Design, Thomas Guide

Ib) Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?

No Impact. The proposed project is not located adjacent to any state scenic highways. No major rock outcroppings, trees, or historic buildings are located within the proposed project area. As discussed above in response Ia), scenic resources are not located within the proposed project area. Therefore, there will be no impacts to scenic resources as a result of the proposed project.

Source: Project Design, Thomas Guide

Ic) Substantially degrade the existing visual character or quality of the site and its surroundings?

Less than Significant Impact. The visual character of the project area and its surroundings could be affected in the short-term by construction grading. The potential construction-related visual impacts could result from excavating, stockpiling, and construction materials or equipment storage. Visual disturbance during construction will be short-term and would cease once construction is complete. The long-term visual character of the project area will not be significantly affected as a result of the proposed project.

Source: Project Design

Id) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?

No Impact. The proposed project will not produce any new sources of light or glare, either during construction or operations/maintenance. The only artificial lighting that may be expected to be used would be under emergency conditions. Any impacts would be temporary and insignificant.

Source: Project Design

II. AGRICULTURAL & FOREST RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

IIa) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

Less than Significant Impact. The proposed project is not located within areas designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. A portion of the alignment is located in land designated as Farmland of Local Importance in the Riverside County GIS. This same area is designated as freeway business and general commercial land use according to the City of Lake Elsinore General Plan. The proposed project will convert a minimal area of land designated as farmland to a non-agricultural use, temporarily impacting 2.4 acres upstream of the crossing under Riverside Drive, and permanently impacting 2.8 acres downstream of Riverside Drive. As such, impacts are considered less than significant.

Source: Conservation, Riv Co GIS, LE Gen Plan

IIb) Conflict with existing agricultural zoning, agricultural use or land subject to a Williamson Act contract or land within a Riverside County Agricultural Preserve?

No Impact. The proposed project does not contain areas zoned for agricultural use or areas subject to a Williamson Act Contract.

Source: Conservation, Riv Co GIS

IIc) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?

Less than Significant Impact. See response to IIa) above. While a portion of the proposed project alignment is located through an undeveloped field on the southeast side of Riverside Drive that is designated as Farmland of Local Importance, the land is not currently being used as farmland. Consequently, the proposed project will not impact land that is currently used as farmland. Therefore, impacts are anticipated to be less than significant.

Source: Conservation, Riv Co GIS

IId) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

No Impact. The proposed project does not contain forest land, timberland, nor timberland zoned as Timberland Production. Therefore, the project does not conflict with existing zoning, or cause rezoning of forest land, timberland, or timberland zoned Timberland Production.

Source: Conservation, Riv Co GIS

IIe) Result in the loss of forest land or conversion of forest land to non-forest use?

No Impact. The proposed project is not located within an area designated as forest land. The proposed project will not result in a loss of forest or conversion of forest to non-forest use.

Source: Conservation, Riv Co GIS

III. AIR QUALITY AND GREENHOUSE GAS EMISSIONS. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

IIIa) Conflict with or obstruct implementation of the applicable air quality plan?

Less than Significant Impact. The proposed project is located within the South Coast Air Basin (SCAB). The South Coast Air Quality Management District (SCAQMD) adopted the 2007 Air Quality Management Plan (AQMP) on June 1, 2007. The 2007 AQMP demonstrates that applicable ambient air quality standards can be achieved within the time frames required under Federal law. The 2007 AQMP identifies emission reductions from existing sources and air pollution control measures that are necessary to comply with applicable State and Federal ambient air quality standards. The proposed project construction will result in temporary air emissions from heavy equipment exhaust, construction-related trips by workers and associated fugitive dust generation. Subsequent maintenance of the project is expected to release infrequent and minor air emissions associated with trucks and/or heavy equipment used on an as-needed basis for inspection and/or maintenance purposes. As described below, the project will be consistent with existing AQMD rules and will not conflict with the AQMP or obstruct its implementation.

Source: AQMP

IIIb) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

Less than Significant Impact. The proposed project involves the construction and subsequent maintenance of approximately 3,770 lineal feet of storm drain channel. Air quality impacts can be described in terms of short-term and long-term effects. Short-term impacts result from site grading and project construction. Long-term impacts relate to facility operations and maintenance.

Temporary emissions would result during construction from heavy equipment exhaust, construction-related travel by workers, and dust generation from excavation and grading activities. Construction equipment will be powered by diesel and the primary pollutants would be reactive organic gas (ROG), nitrogen oxides (NO_x), carbon monoxide (CO), sulfur dioxide (SO₂), and dust (e.g., PM₁₀/PM_{2.5}) particulates.

The URBEMIS model was run using the assumption that the proposed project would be conducted in six phases over an estimated construction period of nine months. The first phase is anticipated to consist of excavation and mass grading to include clearing and grubbing for the channel alignment, and is estimated to last approximately two months. The second phase consists of rectangular concrete channel construction, and would last approximately six weeks. The third phase consists of additional grading and reinforced concrete box construction for 11 weeks. The fourth phase involves earthen trapezoidal channel construction and related grading for two weeks. The fifth phase consists of grading and backfill lasting four weeks. The sixth and final phase will involve paving for roadway resurfacing lasting approximately three weeks. The total ground area disturbed is approximately 15.6 acres.

Short-term construction emissions of criteria pollutants from the proposed project were modeled using the URBEMIS 2007 (Version 9.2.4) air pollution emissions model. Emission

thresholds recommended by the SCAQMD and estimates for the proposed project are shown below in Table 1.

Table 1 – Air Quality Significance Thresholds and URBEMIS Emissions Estimates

Pollutant	Estimated Project Emissions (lbs per day) Years: 2012-2013	SCAQMD Significance Criteria (lbs per day)
ROG	5.82/8.91	75
NO _x	50.74/73.89	100
CO	23.13/32.85	550
SO ₂	0.01/0.01	150
PM ₁₀	16.12/33.23	150
PM _{2.5}	4.15/9.21	55

The proposed project's estimated emissions do not exceed the regional thresholds set by the SCAQMD. As such, the impacts to air quality from the construction of the proposed project will be less than significant. The long-term emissions associated with operations of the storm drain system will be the result of infrequent vehicle travel for maintenance. These emissions will be negligible and would have less than a significant impact.

Source: AQMP, Project design, SCAQMD, URBEMIS

IIIc) Result in cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

Less than Significant Impact. As mentioned above in response IIIb), the estimated construction emissions derived from the URBEMIS 2007 model do not exceed the SCAQMD recommended significance thresholds for the criteria air pollutants. Therefore, the proposed project will not result in a cumulatively considerable net increase of criteria pollutants and less than significant impact is anticipated.

Source: AQMD, Project design, SCAQMD, URBEMIS

IIId) Expose sensitive receptors to substantial pollutant concentrations?

Less than Significant Impact. Since estimated short-term emissions from construction activities have been shown to be below the applicable SCAQMD thresholds, and there are no significant emissions associated with the proposed project's long-term operation, sensitive receptors will not be exposed to substantial pollutant concentrations. The project area is adjacent to commercial businesses, the Elsinore Valley Cemetery, and the I-15 freeway, and these areas will be exposed to minor dust and vehicle emissions during construction.

Source: AQMD, Project design, SCAQMD, URBEMIS

IIIe) Create objectionable odors affecting a substantial number of people?

Less than Significant Impact. The proposed project will utilize diesel equipment and generate diesel exhaust during construction activity in the vicinity of the project area.

However, the diesel emissions will be short-term in duration and will not create an objectionable odor in the project area. As such, impacts will be less than significant.

Source: Project design

III f) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Less than Significant Impact. Draft GHG thresholds have been developed by the SCAQMD and the California Air Resources Board (CARB). In December 2008 the SCAQMD issued interim GHG significance threshold approaches for stationary/industrial sector activities, to include construction emissions amortized over 30 years and added to operational GHG emissions. The GHG emissions threshold pertaining to construction activities is 10,000 MTCO₂eq/year. The CARB has recommended an interim significance threshold of 7,000 MTCO₂eq/year in its October 2008 preliminary draft staff proposal.

Greenhouse gas (GHG) emissions for the proposed project were estimated using the URBEMIS 2007 Version 9.2.4. The main source of GHG emissions would be equipment and vehicles used during short-term construction activity.

The following assumptions were used in the URBEMIS emissions analysis for this project. The anticipated construction timeframe used for the estimate is described above in response III b). Additional assumptions for the model are described in Appendix A, Combined Emissions Reports. The emissions estimate developed for the assumed construction timeframe is 399.44 total tons of carbon dioxide (CO₂). This estimate converted to metric tons (MT) is 362.30 MTCO₂eq/year. The total CO₂ emissions from construction of the proposed project is well below the 10,000 MTCO₂eq/year recommended by the SCAQMD for industrial projects to include construction and the CARB interim significance threshold of 7,000 MTCO₂eq/year. Due to the estimated low amount of emissions from construction and the infrequent operational emissions from maintenance vehicles, the proposed project will not generate a significant amount of GHG emissions. As such, the impact is considered less than significant.

Source: Project design, SCAQMD, URBEMIS

III g) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Less than Significant Impact. As described above, the GHG emissions are temporary and insignificant. Therefore, the proposed project would not conflict with an applicable plan, policy, or regulation adopted for reducing GHG emissions.

Source: Project design, SCAQMD, URBEMIS

IV. BIOLOGICAL RESOURCES. Would the project:

IV a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

Potentially Significant Unless Mitigation Incorporated. Helix Environmental Planning, Inc. conducted various biological surveys on the project site between March and April 2007. A

formal Jurisdictional Delineation (JD) was completed in March 2007. Burrowing Owl surveys were conducted during July 2007 and August 2010. Additionally, AMEC Earth & Environmental, Inc. conducted focused special-status plant species surveys during May 2011.

The focus of the field surveys was to document the presence or absence of special status species identified in the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). The results of the investigations and surveys are presented in the Helix JD Report and General Biological Resources Assessment (GBRA). Data contained in the JD and GBRA reports is used in this section to evaluate this project's potential effects on biological resources. Results of the special-status plant species surveys conducted by AMEC concluded that no special-status plant species occur within the survey area at the time of the surveys. In addition, it was determined that an additional survey was not necessary for species that have potential to occur within the project vicinity that bloom later (June).

Focused Burrowing Owl surveys were conducted during July 2007 and August 2010. No Burrowing Owl or Burrowing Owl sign were observed during either survey. Implementation of mitigating measure **MM Bio 1** will ensure potential impacts to Burrowing Owl are reduced to less than significant levels.

MM Bio 1: A pre-construction presence/absence survey for Burrowing Owl within suitable habitat shall be conducted within 30 days prior to ground disturbance. Take of active nests shall be avoided. Passive relocation (i.e., the use of one-way doors and collapse of burrows) will occur when owls are present outside the nesting season.

Source: Helix 1, Helix 2, Helix 4

During the 2007 field survey work, habitat that could support sensitive riparian bird species was observed. Least Bell's vireo was detected on 7 out of 8 focused surveys, and southwestern willow flycatchers were observed on two surveys. The yellow-billed cuckoo was not detected nor heard within the project area. In order to reduce potential impacts to riparian species to less than significant, the following mitigating measure will be implemented.

MM Bio 2: Timing of construction activities will consider seasonal requirements for breeding birds and migratory non-resident species. Habitat clearing will be avoided during species active breeding season defined as March 1st to August 31st.

Source: Helix 2

- IVb) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?**

Potentially Significant Unless Mitigation Incorporated. Based on the biological site surveys, the proposed project would temporarily impact .22 acre valley freshwater marsh, and .18 acre cismontane alkali marsh. The proposed project would permanently impact .37 acre unvegetated ephemeral streambed. Mitigation for the temporary and permanent impacts is described in response IVf) below. The proposed mitigation will offset impacts to the Riparian/Riverine functions and values, and provide for other functions and services as described below in response IVc). Therefore, the proposed project will not have a substantial adverse effect on riparian habitat or other sensitive natural community.

Source: Helix 1, Helix 2, Helix 3, Helix 5

IVc) Have a substantial adverse effect on biological resources involved within a jurisdictional water feature as defined by federal, state or local regulations (e.g., Section 404 of the Clean Water Act, Section 401 of the Clean Water Act, Section 1602 of California Fish and Game Code, Porter-Cologne Water Quality Control Act, etc.) through direct removal, filing, hydrological interruption, or other means?

Potentially Significant Unless Mitigation Incorporated. Helix Environmental Planning, Inc. conducted a Jurisdictional Delineation (JD) of the project site during March and April 2007. The purpose of the delineation was to identify and map Waters of the U.S. (WUS) under the U.S. Army Corps of Engineers (Corps) jurisdiction pursuant to Section 404 of the Clean Water Act (33 U.S.C. 1344), wetland and streambed habitats under California Department of Fish and Game (CDFG) jurisdiction pursuant to Section 1600 (et seq.) of the California Fish and Game Code, and State Water Resources Control Board (SWRCB) under Section 401 of the Clean Water Act and the Porter Cologne Water Quality Control Act. The methods, results, and supporting references are contained in the Helix Environmental Planning, Inc. JD report, and are summarized here.

The methods used for delineation followed standard protocol for both Corps and CDFG jurisdictional boundaries. Areas with depressions, drainage channels, or wetlands vegetation were evaluated for the presence of WUS or uplands.

Two specific areas on the project site were identified as jurisdictional: the marsh area in the northwest portion of the study area, and the unvegetated ephemeral streambed in the southeast portion of the property. The marsh area was determined to contain both wetland WUS and CDFG jurisdictional areas. The unvegetated ephemeral streambed exhibited an Ordinary High Water Mark (OHWM) and was determined to contain non-wetland WUS and CDFG jurisdictional areas.

The proposed project area impacts approximately .78 acre of Riparian/Riverine habitat that consists of jurisdictional water features as defined by Federal, State, or local regulations. The impacts are comprised of temporary impacts of .41 acre of marsh habitat from channel construction, and permanent impacts of .37 acre of unvegetated ephemeral streambed. The .41 acre of temporary impacts to marsh habitat is comprised of .18 acre cismontane alkali marsh and .22 acre valley freshwater marsh.

As described in **MM Bio 3** below, mitigation for the proposed project will offset impacts to Riparian/Riverine functions and values by providing high quality Riparian/Riverine habitat, and provide for other functions and services such as water quality benefits, groundwater recharge, and nutrient cycling. The proposed mitigation for wetland impacts satisfies the definition of a Biologically Equivalent Preservation Alternative consistent with MSHCP Section 6.1.2.

MM Bio 3: The mitigation described in the Conceptual Restoration Plan shall be implemented to offset the proposed project's temporary impacts to .41 acre of wetland and permanent impacts to .37 acre of the unvegetated ephemeral streambed. The temporary impacts to the .41 acre valley freshwater marsh and cismontane alkali marsh will be mitigated by on-site restoration of marsh habitat in the terminal end of the channel that occurs within Collier Marsh. This restoration will be performed by reseeding .41 acre with native wetland plant material (1:1 mitigation ratio). Temporary impacts to this area will also be mitigated by enhancement of .82 acre (2:1 mitigation ratio) of marsh habitat by removal of invasive plants located within Collier Marsh adjacent to the terminal end of the channel.

Permanent impacts to the unvegetated ephemeral streambed will be mitigated by the on-site creation of .56 acre (1.5:1 mitigation ratio) of streambed within the newly constructed flood control channel between Riverside Drive and Collier Marsh. This is planned for an area that is currently upland.

Source: Helix 1, Helix 2, Helix 3, Helix 5

IVd) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Less than Significant Impact. The project area is not a migratory fish or wildlife corridor, nor a native wildlife nursery site. As a storm drain system, the proposed project will not interfere substantially with the movement of native resident species. As such, less than significant impact is anticipated.

Source: Project design

IVe) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

No Impact. The proposed project is not subject to local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. The proposed project is subject to MSHCP compliance. Refer to response IVf) for a discussion of MSHCP compliance.

Source: Project design, MSHCP

IVf) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

Less than Significant Impact. The County of Riverside Board of Supervisors adopted the MSHCP on June 23, 2003. The U.S. Fish and Wildlife Service (USFWS) and California Department of Fish and Game (CDFG) issued “take” permits in June 2004 for the implementation of the MSHCP. The MSHCP is a comprehensive, multi-jurisdictional habitat conservation plan focusing on the conservation of species and their associated habitats in Western Riverside County.

The District is an MSHCP permittee, and the proposed project must be consistent with the applicable provisions of the MSHCP. A summary of the obligations specific to implementation by the District is described in Section 13.4 of the Implementing Agreement (IA) and includes:

- Adopt and maintain resolutions as necessary to implement the requirements and to fulfill the purposes of the Permits, the MSHCP, and the IA for covered activities. Such requirements include compliance with: 1) the policies for the protection of species associated with Riparian/Riverine areas and vernal pools as set forth in Section 6.1.2 of the MSHCP; 2) the policies for the protection of narrow endemic plant species as set forth in Section 6.1.3 of the MSHCP; 3) the requirements of Section 7.3.7 of the MSHCP; 4) the urban/wildlands interface guidelines as set forth in Section 6.1.4 of the MSHCP; and 5) the BMPs and the siting and design criteria as

set forth in Section 7.0 and Appendix C of the MSHCP. The requirements also include conducting surveys as set forth in Section 6.3.2 of the MSHCP.

- Contribute mitigation through payment of 3% of total capital costs for a covered activity. Such payment may be offset through acquisition of replacement habitat or creation of new habitat for the benefit of covered species, as appropriate. Such mitigation shall be implemented prior to impacts to covered species and their habitats.
- Manage land owned or leased within the MSHCP Conservation Area that has been set aside for conservation purposes pursuant to a management agreement to be executed between Riverside County Flood Control and Water Conservation District and the CDFG.
- Participate as a member of the Reserve Management Oversight Committee (RMOC).
- Carry out all other requirements of the MSHCP, the MSHCP permits, and the IA.

RCA Approval

The project has been submitted to and reviewed by the Western Riverside County Regional Conservation Authority (RCA) pursuant to the Joint Project Review (JPR) process. Pursuant to a Criteria Consistency Review letter from the RCA dated July 6, 2011, it was determined that the project is consistent with both the Criteria and other Plan requirements.

Project Site Location Within MSHCP Area

Regions of the MSHCP have been organized into Area Plans that generally follow political jurisdictional boundaries. The project site is located within the Elsinore Area Plan. Portions in the southwest area of the project site are located within Subunit 3 (Elsinore) of the Elsinore Area Plan and in Cell 4266.

Regarding Cell conservation objectives, conservation within this Cell will contribute to assembly of Proposed Linkage 2. The conservation focus will be on meadow, marsh, riparian scrub, woodland, and forest habitat along Alberhill Creek and adjacent grassland habitat. Areas conserved within Criteria Cell 4266 will be connected to meadow, marsh, and grassland habitat proposed for conservation within Cell 4169 to the north. Additional conservation measures are listed in the General Biological Resources Assessment (GBRA).

A portion of Proposed Linkage 2 occurs within Criteria Cell 4266. No MSHCP designated biological core area occurs on the property. Proposed Linkage 2 is comprised of wetland habitat associated with Collier Marsh.

The MSHCP Implementation Structure is described in Section 6.0, Volume I-Part 2 of 2 of the MSHCP.

Section 6.1.2

In accordance with MSHCP Section 6.1.2 field assessments of the project area and surrounding lands were performed for Riparian/Riverine and vernal pool habitats. The field assessments were conducted by HELIX Environmental Planning, Inc. during March and April 2007. Results are documented in the GBRA.

According to the results described in the GBRA and Determination of Biologically Equivalent or Superior Preservation (DBESP) reports, riverine/riparian areas occur in the project area. Collier Marsh is located at the western end of the proposed project alignment.

In addition, an unvegetated ephemeral streambed is located on the east side of Collier Avenue adjacent to the Elsinore Valley Cemetery. No vernal pools exist on-site, and no vernal pool species are expected to occur. Identification and assessment of the Riparian/Riverine areas appear in the GBRA and DBESP reports.

An analysis of alternative channel alignments to avoid, minimize, and mitigate effects to Riparian/Riverine areas was performed in accordance with MSHCP Section 6.2.1. The most cost-effective and least disruptive alternative was selected. The Collier Marsh is the natural outlet for storm flows generated in the Arroyo Del Toro watershed. The channel is designed to convey flow to the marsh while minimizing the alignment footprint to the maximum extent practical. An alternative alignment to completely avoid the channel footprint crossing into Collier Marsh is not feasible. However, the preferred practicable alternative results in minimal temporary impacts to the marsh.

Additionally, locating the channel underground within street right-of-way was considered infeasible due to utility conflicts, lengthy traffic disruptions, and lack of sufficient cover. Complete avoidance of Riparian/Riverine areas would necessitate the "no project" alternative. The selected alignment implements the avoidance and minimization principals in compliance with the MSHCP.

The proposed channel alignment will result in permanent impacts of approximately 1,790 feet (.37 acre) to the unvegetated ephemeral streambed and temporary impacts of approximately .41 acre to Collier Marsh. The alignment will add approximately 380 feet (.56 acre) of new earthen channel downstream of Riverside Drive. Implementation of mitigation measure **MM Bio 3** described above will ensure that impacts to Riparian/Riverine habitats are less than significant.

The .37 acre permanent impact will be mitigated by the on-site creation of .56 acre of streambed within the new flood control channel between Riverside Drive and Collier Marsh. The temporary .41 acre impact will be mitigated by the on-site restoration of .41 acre of marsh habitat in the terminal end of the channel that occurs within Collier Marsh, and by the enhancement of .82 acre of marsh habitat located within Collier Marsh adjacent to the terminal end of the channel.

In compliance with the MSHCP, the DBESP report describes the measures to ensure replacement of lost functions and values of habitat as it relates to Covered Species. The DBESP was reviewed by the USFWS and the CDFG, and is on file at the District office.

The proposed project area was assessed for habitat that could support riparian birds per MSHCP Section 6.1.2. Focused surveys are required if suitable habitat is present within the project area for the least Bell's vireo, southwestern willow flycatcher, and western yellow-billed cuckoo. The project area was determined to contain habitat suitable to support the riparian birds mentioned above, and focused surveys for these species were then conducted. Mitigation measures as described in **MM Bio 2** above will be implemented to reduce potential impacts to a less than significant level.

Section 6.1.3

The proposed project is located within the Narrow Endemic Plant Species Survey Area (NEPSSA), Group 1. Pursuant to Section 6.1.3 of the MSHCP, habitat assessments and/or focused surveys for certain narrow endemic plant species were conducted. The results of the MSHCP focused surveys and habitat assessments are documented. No Narrow Endemic Plant Species were observed during the focused plant surveys. Therefore, the proposed project satisfies the MSHCP requirements for Narrow Endemic Plant Species.

Section 6.3.2

The project is located within the Burrowing Owl survey area per the Additional Survey Needs of Section 6.3.2 of the MSHCP. Pursuant to Section 6.3.2, habitat assessments and/or focused surveys for certain additional plant and animal species are required for properties within mapped survey areas. Habitat assessments and focused surveys were conducted for the Burrowing Owl pursuant to accepted protocol during July 2007 and August 2010. No Burrowing Owls or Burrowing Owl sign were observed within the surveyed area in 2007 or 2010. In accordance with the MSHCP, a pre-construction survey for Burrowing Owls will be conducted within 30 days prior to disturbance of the property for construction purposes. Implementation of **MM Bio 1** will ensure potential impacts to Burrowing Owls are less than significant. The proposed project satisfies the plant, mammal, amphibian, and bird Additional Survey Needs and Procedures requirements of the MSHCP.

Section 6.1.4

Section 6.1.4 of the MSHCP addresses indirect impacts from developments in proximity to MSHCP Conservation Areas. While the proposed project is not adjacent to an existing MSHCP Conservation Area, it is within a Criteria Cell and is in proximity to a Conservation Area. As a storm drain system, the proposed project will not conflict with the Guidelines Pertaining to the Urban Wildlands Interface including Toxics, Noise/Lighting, Invasives, or Drainage.

Section 7.3.7

MSHCP Section 7.3.7 identifies potential flood control projects that are "Covered Activities" in the MSHCP Criteria Area. The proposed Arroyo Del Toro Channel project is listed in MSHCP Section 7.3.7 as a covered activity. Implementation is subject to the construction guidelines as described in MSHCP Section 7.5.3 and the Best Management Practices (BMPs) contained in Appendix C.

Section 7.5.3

Section 7.5.3 of the MSHCP outlines construction guidelines when constructing facilities within the Criteria Area or within P/QP lands. The proposed project is within a Criteria Area, but is not within P/QP lands. The proposed project will incorporate the applicable Construction Guidelines per MSHCP Section 7.5.3 and the BMPs contained in Appendix C. As such, the proposed project will satisfy the BMP requirements of the MSHCP.

Source: MSHCP, IM, Helix 2

V. CULTURAL RESOURCES. Would the project:

Va) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?

Potentially Significant Unless Mitigation Incorporated. Applied Earthworks, Inc. conducted an archeological literature and records search at the Eastern Information Center (EIC) at the University of California, Riverside on February 20, 2007. The objective of the records search was to determine whether any prehistoric or historical resources had been previously recorded within the proposed Project study area. Additionally, an archeological field survey of a 44-acre Project study area was completed on February 20, 2009. The results of the records search and field survey were reported by Applied Earthworks, Inc. in a Phase I cultural resources survey dated April 2009 and a Phase II report dated July 2009 of the project area. The Phase II report focused on the remnants of a concrete foundation discussed below.

The proposed project is considered an "undertaking" per Section 301(7) of the National Historic Preservation Act (NHPA) because Corps jurisdictional areas are present within the project area. Thus, it was necessary to define an area of potential effects (APE) as the geographic area within which the proposed project has the potential to directly or indirectly cause alternations to historic properties per 36 CFR Section 800.16(d).

The archeological records search and field survey of the project area identified the presence of potential significant cultural resources of both prehistoric and historical sensitivity. According to the research, five cultural resources were identified as follows. Three new cultural resources – remnants of a concrete pad (CA-RIV-8226H), an isolated prehistoric mano (P-33-15793), and an isolated prehistoric metate (P-33-17576) – were discovered within the project APE. Two previously recorded resources within the project APE are the Elsinore Valley Cemetery/Home of Peace Jewish Cemetery (CA-RIV-8132H) and the Old Santa Fe Railroad Grade (CA-RIV-3832H).

The concrete pad (CA-RIV-8226H) was further evaluated for NRHP/CRHR eligibility through the Phase II testing program. This resource consists of a concrete foundation and associated artifacts. Details of the field survey results and archival research are contained in the referenced Phase II report. As documented in the Phase II report, the resource was determined not to be eligible for inclusion on the NRHP or CRHR. Because the site is not considered to be a historic property under 36 CFR 800.5(a)(1), or a historical resource for the purposes of CEQA, construction activities for the proposed project would have no significant effect on this resource.

Per the Phase I report results no structures or historical archaeological resources were noted south of the Collier Avenue and Riverside Drive intersection. Based on the available information, known historic resources do not occur within the project area and potential impacts will be less than significant. To ensure that any accidentally uncovered cultural resources are properly evaluated and documented, the following mitigation measure will be incorporated into the project.

MM Cultural 1: If any historical resources are discovered within the project limits during construction, ground disturbance in the vicinity of the find shall cease, and a qualified historical resources specialist shall assess the significance of the find and, if necessary, make recommendations for appropriate treatment measures. Any discovered resources that merit long term consideration shall be collected and reported in accordance with current protocols.

Source: AE 1, AE 2

Vb) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

Potentially Significant Unless Mitigated Incorporated. Applied Earthworks, Inc. contacted the Native American Heritage Commission (NAHC) on February 13, 2007 regarding the Sacred Lands Inventory to determine whether any known cultural properties are present within or adjacent to the project area. The NAHC responded that no Native American cultural resources are known to exist within or adjacent to the project area. In accordance with NAHC recommendations, Native American individuals/organizations were contacted to solicit any information or concerns regarding cultural resource issues related to the project area. The Cahuilla Band of Mission Indians and the Soboba Band of Luiseno Indians responded and requested that a cultural resources monitor be present during ground-disturbing activities.

It is unlikely that archeological resources will be impacted during construction of the proposed project. However, archeological resource monitoring in accordance with **MM Cultural 2** will be conducted during ground disturbance operations between Riverside Drive and Collier Avenue because of the potential for deeply buried deposits.

MM Cultural 2: A qualified archeological resources specialist shall perform periodic inspections of grading operations between Riverside Drive and Collier Avenue. The frequency of inspections will depend on the rate of excavation, materials being excavated, and the abundance of artifacts uncovered. The archeologist shall evaluate, collect, document, and curate any findings.

In the event of accidental discovery of archeological resources during construction, the mitigation measure **MM Cultural 3** as described below will be incorporated into the proposed project.

MM Cultural 3: If archeological resources are exposed during construction, ground disturbance in the vicinity of the discovery will cease immediately and a qualified archeological resources specialist will evaluate the resources. If the find is determined to be a historical or unique archeological resource as defined in Section 15064.5 of the California Code of Regulations, avoidance or other appropriate measures shall be implemented in accordance with standard archaeological management requirements.

Source: AE 1, AE 2

Vc) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Less than Significant Impact. The Riverside County GIS mapping indicates that the proposed project location is within an area of low potential paleontological sensitivity. Due to the disturbed nature of the project area for commercial and agricultural land uses, it is unlikely that paleontological resources or sites, or unique geologic features will be encountered during construction. To ensure that potential impacts to paleontological resources are avoided or reduced to less than significant, implementation of **MM Cultural 4** will be implemented.

MM Cultural 4: If paleontological resources are exposed during ground excavation disturbance, ground disturbance activities in the vicinity of the discovery will be terminated immediately until a qualified paleontological resources specialist can evaluate the significance of the find and, if necessary, develop appropriate treatment measures.

Source: Riv Co GIS

Vd) Disturb any human remains, including those interred outside of formal cemeteries?

Potentially Significant Unless Mitigation Incorporated. The proposed project is located adjacent to the Elsinore Valley Cemetery and Home of Peace Jewish Cemetery. One of the goals of the cultural resources investigation was to determine whether graves lie outside of the dedicated cemetery through archival research and oral history. Individuals with local knowledge were interviewed regarding the potential for human remains to have been buried outside the boundary of the dedicated cemetery. Several persons interviewed indicated that there had been anecdotal accounts of burials possibly occurring outside the dedicated

cemetery, specifically along the east side of the cemetery near the I-15 freeway, and along the west side between the "west fence" and Collier Avenue.

To reduce the potential of accidentally encountering remains during construction, **MM Cultural 5** will be implemented.

MM Cultural 5: Dogs trained to detect historical human remains shall be used in the portion of the project along the east side of the cemetery prior to construction.

If any human remains are detected prior to construction using the above mentioned techniques, **MM Cultural 6** as described below will be immediately implemented.

At the time construction begins, ground disturbance and excavation will proceed carefully in order to identify signs of potential human remains. If evidence of potential remains is discovered, **MM Cultural 6** described below will be implemented.

MM Cultural 6: If human remains in the vicinity of the cemetery are encountered prior to or during construction, work will be halted until a decision is made with regard to the disposition of the remains. If human remains are discovered in a location other than a dedicated cemetery, the provisions and regulations of Health and Safety Code 7050.5, CEQA 15064.5(e), and Public Resources Code 5097.98 will be followed. The fieldwork at the site will cease immediately if any human remains are encountered. The Riverside County Coroner will be notified immediately. If the Coroner determines that the remains should be treated as historic resources, they would defer to SHPO with regard to treatment of the remains.

Source: AE 1

VI. GEOLOGY AND SOILS. Would the project:

VIa) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:

- i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a Known fault? Refer to Division of Mines and Geology Special Publication 42.**

Less than Significant Impact. According to Riverside County GIS and Figure S-2 of the Riverside County General Plan, the proposed project is not located within a currently delineated State of California Alquist-Priolo Earthquake Fault Zone. The project area is located in proximity to the Elsinore Fault Zone and numerous County Fault Zones. The District's routine inspection and maintenance activities will ensure that the storm drain system is repaired if damage does occur during a seismic event. Consequently, as a storm drain system the proposed project would not expose people or structures to potential substantial adverse effects.

Source: RCIP, Riv Co GIS

ii) Strong seismic ground shaking?

Less than Significant Impact. Most of southern California, including the project area, is subject to strong seismic ground shaking due to the numerous faults traversing the region. According to the Riverside County GIS, the project area is not located within a fault zone. The District's routine inspection and maintenance activities will ensure that the storm drain system is repaired if damage does occur during a seismic event. Therefore, impacts are anticipated to be less than significant.

Source: RCIP, Riv Co GIS

iii) Seismic-related ground failure, including liquefaction?

Less than Significant Impact. According to Figure S-3 of the Riverside County General Plan, the project area is located within an area of high liquefaction susceptibility due to the shallow depth of the local groundwater. However, the proposed project is a storm drain system and does not provide habitable structures. Additionally, the District's routine inspection and maintenance activities will ensure that the storm drain system is repaired if damage does occur during a seismic-related ground failure, including liquefaction. Therefore, impacts are anticipated to be less than significant.

Source: RCIP

iv) Landslides or mudflows?

No Impact. According to Figure S-4 of the Riverside County General Plan, the proposed project is located near areas designated as having a high susceptibility to seismically induced landslides and rock falls. However, the proposed project will be located on relatively flat terrain and will not provide habitable structures. Therefore, the proposed project would not expose people or structures to potential substantial adverse effects involving landslides or mudflows.

Source: RCIP

VIb) Result in substantial changes in topography, unstable soil conditions from excavation, grading or fill, or soil erosion or the loss of topsoil?

Less than Significant Impact. The proposed project alignment is generally located over level ground and would not involve substantial changes in topography, unstable soil conditions from excavation, grading or fill, or soil erosion or loss of topsoil. The proposed project is a storm drain system that will reduce erosion and debris transport by providing an engineered drainage conveyance for stormwater runoff. During project construction, graded areas could be susceptible to erosion, however, potential erosion will be minimized by implementing Best Management Practices (BMPs) as described in the Stormwater Pollution Prevention Plan (SWPPP) as required by the NPDES General Permit for Construction Stormwater Discharges.

Source: NPDES, Project Design

VIc) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

Less than Significant Impact. According to the Riverside County GIS as identified in response VIa) iii) above, the proposed project is located in an area of high liquefaction susceptibility. However, the proposed project alignment covers a limited area and the proposed project does not involve structures which would be inhabited by people. In the event that the storm drain system sustains any damage, the District's Operations and Maintenance Division will be responsible for evaluation and repair. Therefore, impacts are anticipated to be less than significant.

Source: Riv Co GIS

VIId) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994 or most current edition), creating substantial risks to life or property?

No Impact. A geotechnical report has been prepared for the project area. The report states that the soils within the project area have a very low expansion potential. No impacts are anticipated.

Source: RCIP

VIe) Have soils incapable of adequately supporting any structures, fill or other improvements associated with the project?

No Impact. The proposed project consists of the construction and maintenance of a storm drain system. The geotechnical report states that the soils are adequate for the construction of the project. No impacts are anticipated.

Source: Project Design

VII. HAZARDS AND HAZARDOUS MATERIALS. Would the project:

VIIa) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Less than Significant Impact. Construction and subsequent maintenance of the proposed project does not involve the routine use or transport of hazardous materials beyond the short-term use of petroleum-based fuels, lubricants, pesticides, and other similar materials during construction and the occasional transport and use of these materials during the maintenance phase. The construction phase may include transport of gasoline and diesel fuel to the project site and on-site storage for the sole purpose of fueling construction equipment. Best Management Practices (BMPs) stipulating proper storage of hazardous materials and vehicle fueling will be included in the Stormwater Pollution Prevention Plan (SWPPP). All transport, handling, use, and disposal of substances such as petroleum products, solvents, and paints related to operation and maintenance of the proposed project will comply with all Federal, State, and local laws regulating the management and use of hazardous materials. District operations and maintenance personnel participate in an ongoing Herbicide Training Program. Additionally, the District is in compliance with State and local policies regarding herbicide application. The proposed project will not create a significant hazard to the public or to the environment.

Source: Project Design

- VIIb) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?**

Less than Significant Impact. Refer to response VIIa) above.

- VIIc) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?**

No Impact. Refer to response VIIa) above. There is not an existing or proposed school within one-quarter mile of the project site.

- VIIId) Be located on a site, which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?**

Less than Significant Impact. An online record search of available databases, i.e., Department of Toxic Substances Control's Hazardous Waste and Substances List (Cortise List), State Water Resources Control Board Leaking Underground Storage Tank (LUST) Geotracker indicates that listed hazardous material sites are not located within or adjacent to the project area. Construction of the proposed project will include excavation. In the unlikely event that unknown potentially hazardous materials are uncovered during excavation, such materials will be handled in accordance with the following measure.

MM Hazards 1: If previously unknown hazardous wastes/materials are encountered in the field during construction, ground disturbance activities in the vicinity of the discovery shall cease until a qualified hazardous materials management specialist can assess the potentially hazardous substances and, if necessary, develop appropriate management measures for the treatment and disposal of the materials in accordance with applicable laws and regulations set by the appropriate regulatory agencies.

Source: DTSC, SWRCB

- VIIe) For a project located within an airport land use plan, or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?**

No Impact. The proposed project is not located within an airport land use plan or within two miles of a public or public use airport.

Source: Thomas Guide

- VIIIf) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?**

No Impact. The proposed project is not located within the vicinity of a private airstrip. Therefore, no impacts are anticipated.

Source: Thomas Guide

- VIIg) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?**

Less than Significant Impact. The construction and subsequent maintenance of the proposed project will not impair implementation of, or physically interfere with an adopted emergency response or evacuation plan. Vehicular access will be maintained or detours will be provided during project construction. It is also standard practice for the District to notify public safety agencies prior to commencing project construction activity. Thus, no associated impacts would occur.

Source: Project Design

VIIIh) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where Wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

Less than Significant Impact. According to Figure S-11 in the Riverside County General Plan, the plan area is not subject to wildland fire hazards. Additionally, the Elsinore Area Plan Wildfire Susceptibility Exhibit (Figure 11) of the Riverside County General Plan indicates that the majority of the plan area is not subject to risk of wildland fire hazards. The proposed project would not expose people or structures to an increased risk of wildfire beyond current conditions.

Source: RCIP

VIII. HYDROLOGY AND WATER QUALITY. Would the project:

VIIIa) Violate or conflict with any adopted water quality standards or waste discharge requirements?

Less than Significant Impact. The proposed project consists of the construction, operation, and maintenance of a storm drain system. The proposed project will not create new sources of stormwater pollution. It will collect, convey, and discharge stormwater runoff originating in developed areas that may contribute pollutants.

During construction, there is potential for temporary discharge of pollutants from the construction area. The District's contractor will implement appropriate Best Management Practices (BMPs) in compliance with the NPDES General Permit for Stormwater Discharges Associated with Construction Activity. The District is also required to comply with the NPDES Municipal Separate Storm Sewer System (MS4) permit issued by the Santa Ana Regional Water Quality Control Board (SARWQCB). Compliance with the established programs and policies mentioned above will ensure that the project would not result in violation or conflict with adopted water quality standards or waste discharge requirements.

Source: Project design, NPDES, SARWQCB

VIIIb) Result in substantial discharges of typical stormwater pollutants (e.g. sediment from construction activities, hydrocarbons, and metals from motor vehicles, nutrients and pesticides from landscape maintenance activities, metals of other pollutants from industrial operation,) or substantial changes to surface water quality including, but not limited to, temperature, dissolved oxygen, pH, or turbidity?

Less than Significant Impact. The proposed project will not result in substantial changes to surface water quality including temperature, dissolved oxygen, pH, or turbidity. Refer to response VIII.A) above.

Source: Project design

- VIIIc) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?**

Less than Significant Impact. The proposed project will not result in the withdrawal or use of groundwater. The proposed project consists of a storm drain system that will convey stormwater flow from the project area to Collier Marsh. A minor reduction in groundwater recharge is anticipated to occur as the new concrete channel section replaces the existing unvegetated ephemeral streambed (approximately .37 acre). However, an approximately .56 acre new earthen channel will be created with the new channel construction downstream of Riverside Drive to replace functions and values of the unvegetated ephemeral streambed including infiltration. As such, less than significant impacts are anticipated.

Source: Project design

- VIIIId) Substantially alter the existing drainage pattern of the site or area, including through the alteration of a watercourse or wetland, in a manner which would result in substantial erosion or siltation on- or off-site?**

Less than Significant Impact. The proposed project is a storm drain system that will generally maintain the existing drainage pattern to safely convey flows via an engineered channel to the natural drainage area in Collier Marsh. The channel will include 2 energy dissipation structures to reduce the occurrence of erosion and siltation. The proposed project will reduce the erosion and flooding risk that currently occurs during storm events. Therefore, impacts are anticipated to be less than significant.

Source: Project design

- VIIIe) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?**

Less than Significant Impact. The proposed project will convey flows through an engineered channel that presently drain through an unvegetated ephemeral streambed and onto Collier Avenue, and will eliminate flooding, not cause more of it. Therefore, impacts are less than significant.

Source: Project design

- VIIIIf) Create or contribute runoff water, which would exceed the capacity of existing or planned stormwater drainage systems?**

Less than Significant Impact. The project discharges into Collier Marsh. Collier Marsh has adequate capacity for flows discharged from this project. As such, impacts are less than significant.

Source: Project design

VIIIg) Place housing within a 100-year flood hazard area as mapped on Federal Flood Hazard boundary of Flood Insurance Rate Map or other flood hazard delineation map?

No Impact. The proposed project will not include or involve the construction of housing within the 100-year flood hazard area or other flood hazard delineation map. No impact is anticipated.

Source: Project design

VIIIh) Place structures or fill within a 100-year flood hazard area, which would impede or redirect flood flows?

Less than Significant Impact. The proposed project is a storm drain system that will channelize flows through the project area. The proposed project will collect and redirect the first 2,100-cfs through the Caltrans culverts to an adequate outlet in Collier Marsh. There is no adverse impact to buildings or infrastructure due to the redirection of flows. Therefore, impacts are anticipated to be less than significant.

Source: Project design

VIIIi) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

No Impact. The proposed project area will reduce flood risk and flood-related damage in the watershed by increasing the level of flood protection to local development.

Source: Project design

VIIIj) Expose people or structures to a significant risk of loss, injury or death involving inundation by seiche, tsunami, or mudflow?

No Impact. The proposed project is not subject to inundation by seiche, tsunami, or mudflow. No impact is anticipated.

Source: Project design

IX. LAND USE PLANNING. Would the project:

IXa) Physically divide an established community?

Less than Significant Impact. The majority of the project is underground and will not divide the community. The open channel part of the project is at the edge of the existing development in the city of Lake Elsinore. As such, the project will not physically divide an established community.

Source: Project Design

IXb) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

No Impact. The proposed project is located within the city of Lake Elsinore and generally subject to the land use policies of the City. The proposed project will not conflict with any land use designations or policies adopted for the purpose of avoiding or mitigating an environmental effect.

Source: Project Design

X. MINERAL RESOURCES. Would the project:

Xa) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

Less than Significant Impact. The proposed project site is located on land that is designated as MRZ-3 according to the County of Riverside General Plan. This classification denotes areas where the available geologic information indicates that mineral deposits are likely to exist, however, the significance of the deposit is undetermined. The proposed project is not located on an area where the available geologic information indicates that there are significant mineral deposits according to the General Plan. As a storm drain system, the project alignment will impact a relatively minor footprint area of approximately 5 acres and 3,770 feet. Therefore, the project would not result in the loss of availability of a mineral resource that would be of value to the region and residents of the state.

Source: RCIP

Xb) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

Less than Significant Impact. Refer to previous response in Section Xa).

XI. NOISE. Would the project result in:

XIa) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Less than Significant Impact. The proposed project will include the use of mechanical equipment for the temporary construction period. Mechanical equipment will also be used intermittently during operations and maintenance activity after the construction is completed. Neither the construction period nor the maintenance periods will involve generation of noise levels in excess of standards established in the local general plan, noise ordinance, or applicable standards of other agencies. Therefore, the impact is anticipated to be less than significant.

Source: Project Design

XIb) Exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels?

Potentially Significant Unless Mitigation Incorporated. The proposed project will include the use of mechanical equipment for the temporary construction period. Mechanical equipment will also be used intermittently during operations and maintenance activity after the construction is completed. The project area is adjacent to commercial activities and a cemetery. Areas located adjacent to the project area will be temporarily exposed to increased noise levels and possible ground vibration from vehicles and excavation equipment during

construction. Subsequent operations and maintenance is expected to generate infrequent and minor increased noise levels associated with trucks and/or heavy equipment during inspection and maintenance activities. The long-term operation and maintenance would not result in a significant increase in noise levels. However, to ensure that potential adverse impacts remain less than significant during both construction and subsequent maintenance, the following mitigation measure will be incorporated into the project:

MM Noise 1: Use of heavy construction equipment shall be limited to between the hours of 7:00 a.m. to 5:00 p.m. and prohibited on weekends and holidays, unless otherwise approved by the General Manager-Chief Engineer.

Source: Project Design

XIc) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

Less than Significant Impact. The construction, operation, and maintenance of the proposed project will be temporary activities. These temporary activities will involve short-term minor increases in noise levels due to operation of mechanical equipment. There will be no permanent increases in noise levels, and potential impacts will be less than significant.

Source: Project Design

XId) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

Potentially Significant Unless Mitigation Incorporated. As described in response XIa) above, the proposed project will include the use of mechanical equipment for the temporary construction period. Mechanical equipment will also be used intermittently during operations and maintenance activity after the construction is completed. Both the construction and subsequent maintenance periods will be temporary with limited increased noise levels. With the incorporation of the proposed mitigation measure **MM Noise 1**, potential impacts will be less than significant.

Source: Project Design

XIe) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

No Impact. The project area is not located within an airport land use plan, or within two miles of a public airport or public use airport. Therefore, no impact is anticipated.

Source: Project Design

XIf) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

No Impact. The project area is not located within the vicinity of a private airstrip, therefore, no impact is anticipated.

Source: Project Design

XII. POPULATION AND HOUSING. Would the project:

- XIIa) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure) resulting in substantial adverse physical impacts or conflicts with the adopted general plan, specific plan, or other applicable land use or regional plan?**

No impact. The proposed project does not include the construction of homes or businesses that could directly induce population growth. The proposed project will provide improved flood protection to developed areas adjacent to the project site. Since these areas are mostly developed, substantial population growth inducement is not expected.

Source: Project Design

- XIIb) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?**

No Impact. The proposed project will not displace any existing housing or people.

Source: Project Design

- XIIc) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?**

No Impact. Refer to response XIIb).

Source: Project Design

XIII. PUBLIC SERVICES

- XIIIa) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services:**

Fire protection?

No Impact. The proposed project would not require new fire protection services.

Police protection?

No Impact. The proposed project would not require new police protection services.

Schools?

No Impact. The proposed project would not affect existing schools within the area.

Parks?

No Impact. Additional demands on existing public parks would not occur. New or improved park facilities would not be necessary as a result of the proposed project.

Other public facilities?

No Impact. Roads are the only public facilities that may be impacted by the proposed project. Once constructed, the proposed project will reduce the potential for flood damage to the public roads and adjacent properties within the project area. Thus, the need to maintain and repair public roads due to flood damage will be reduced. No additional public facilities will be impacted by the proposed project.

Source: Project design

XIV. RECREATION

XIVa) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

No Impact. The proposed project would not impact or increase the use of existing neighborhood parks, regional parks, or other recreational facilities.

Source: Project design

XIVb) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

No Impact. The proposed project does not include recreational facilities nor will it require the construction or expansion of such facilities.

Source: Project design

XV. TRANSPORTATION AND TRAFFIC. Would the project:

XVa) Conflict with an adopted plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?

Less than Significant Impact. Temporary lane closures during construction will be kept at a minimum and will be coordinated with the City of Lake Elsinore, and Caltrans to ensure that adverse impact to traffic flow is less than significant. Construction related vehicles traveling to the project site would temporarily increase traffic volume during the construction period. After construction is complete, maintenance vehicles will travel infrequently to the project site. However, the project would not cause a permanent increase in traffic volume. Due to the relatively short construction period and associated minor amount of increased traffic, the temporary increase in traffic will not substantially change the existing levels of traffic. Therefore, the project will not conflict with an adopted plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system. Impacts will be less than significant.

Source: Project design

- XVb) Conflict with an adopted congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the appropriate congestion management agency for designated roads or highways?**

Less than Significant Impact. In accordance with the 2010 Riverside County Congestion Management Program (CMP), State Route 74 from Lakeshore to the I-15 Freeway is designated an exempt facility from the CMP. As a result, the proposed project will not conflict with an adopted congestion management program.

Source: Project design, CMP

- XVc) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?**

Less than Significant Impact. The proposed project consists of a flood control storm facility that would not increase hazards due to a design feature or incompatible uses. A guardrail will be installed on the northwest side of Riverside Drive to prevent vehicles from accidentally driving into the channel. Impacts will be less than significant.

Source: Project design

- XVd) Would the project result in inadequate emergency access?**

Less than Significant Impact. The operation and maintenance of the proposed project would not result in inadequate emergency access. However, project construction is expected to include temporary activity and potential lane closures along Collier Avenue and Riverside Drive. The project will include a traffic control plan to ensure that there is acceptable emergency access through both of the above-mentioned streets, and the project area. Therefore, the project would not result in inadequate emergency access.

Source: Project design

- XVe) Would the project result in inadequate parking capacity?**

No Impact. The proposed project will not affect any existing parking facilities nor increase the need for additional parking facilities. Temporary parking related to construction activities will be available on, or adjacent to the construction site.

Source: Project design

- XVf) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, pedestrian facilities, or other alternate transportation or otherwise decrease the performance or safety of such facilities?**

Less than Significant Impact. The proposed project would not conflict with adopted policies, plans, or programs regarding public transit, bicycle, pedestrian facilities, or other alternate transportation or otherwise decrease the performance or safety of such facilities.

Source: Project design

XVI. UTILITIES AND SERVICE SYSTEMS. Would the project:

- XVIa) Impact the following facilities requiring or resulting in the construction of new facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?**

Electricity

No Impact. The proposed project would not require or result in the construction of new electrical facilities or expansion of existing electrical facilities.

Natural Gas

No Impact. The proposed project would not require or result in the construction of new natural gas facilities or expansion of existing natural gas facilities.

Communication System

No Impact. The proposed project would not require or result in the construction of new communication system facilities or expansion of existing communication system facilities.

Street lighting

No Impact. The proposed project would not require or result in the construction of new street lighting or expansion of existing street lighting.

Public facilities, including roads and bridges

No Impact. The proposed project would not require or result in the construction of new public facilities or expansion of existing public facilities including roads and bridges.

Source: Project design

- XVIb) Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?**

No Impact. The proposed project consists of the construction of new drainage facilities to alleviate flooding within the project area. Other drainage facilities will not be required as a result of the proposed project.

Source: Project design

- XVIc) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?**

No Impact. The proposed project is construction of new flood control drainage facilities that will not require the long-term use of water supplies. The project will only require the temporary use of water during construction. Existing water supplies are expected to be adequate.

Source: Project design

- XVIId) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?**

No Impact. The proposed project will not result in any wastewater discharges or require wastewater treatment services.

Source: Project design

- XVIe) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?**

Less than Significant Impact. The proposed project may generate a limited amount of solid waste during construction. Subsequent facility maintenance may involve occasional trash and debris removal. However, the limited amount of solid waste generated during construction and maintenance would not be substantial or interfere with the capacity of local solid waste disposal facilities.

Source: Project design

- XVIIf) Comply with federal, state, and local statutes and regulations related to solid waste?**

No Impact. Waste disposal during project construction or maintenance will be performed in compliance with the appropriate statutes and regulations.

Source: Project design

XVII. MANDATORY FINDINGS OF SIGNIFICANCE.

- XVIIa) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?**

Less than Significant Impact. As demonstrated by this Initial Study, potential impacts to the quality of the environment, to the habitat of a fish or wildlife species, or plant or animal, or historical resources will not occur, will be less than significant, or will be mitigated to a level of insignificance.

- XVIIb) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)**

Less than Significant Impact. The storm drain construction will be short-term in nature and result in improved stormwater conveyance through the project area. Potential impacts such as air emissions, hazardous materials issues, historic/archeological/paleontological resource finds, and riverine/riparian area mitigation have been addressed and reduced to less than significant. As a short-term infrastructure improvement project with potential impacts mitigated, there will be no impacts that are cumulatively considerable.

XVIIc) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Less than Significant Impact. As discussed throughout this Initial Study, the short-term construction of the storm drain system will be conducted with potential impacts mitigated to levels of less than significant. As a result, there will be no substantial adverse effects on human beings.

INITIAL STUDY CHECKLIST REFERENCE LIST

Cited as:	Source:
AE 1	Applied EarthWorks, Inc., <i>Phase I Cultural Resources Investigation for the Arroyo Del Toro Project, Lake Elsinore, Riverside County, California</i> , April 2009.
AE 2	Applied EarthWorks, Inc., <i>Phase II Testing and Evaluation of CA-RIV-8226H for the Arroyo Del Toro Channel Project, Lake Elsinore, Riverside County, California</i> , July 2009.
AMEC	AMEC Earth & Environmental, Inc., <i>Final Focused Special Status Plant Species Survey Report – Arroyo Del Toro Channel Project</i> , June 2011.
AQMP	South Coast Air Quality Management District, <i>Air Quality Management Plan 2007</i> , dated June 2007.
CMP	2010 Riverside County Congestion Management Program, Page 4-2.
Conservation	California Department of Conservation, Division of Land Resource Protection, Farmland Mapping and Monitoring Program, Land Use Conversion reports, Riverside County Important Farmland Data Availability (Available at ftp://ftp.consrv.ca.gov/DLRP/fmmp).
DTSC	California Department of Toxic Substances Control, Hazardous Waste and Substance Site List (Cortese List), (Available at: http://www.calepa.ca.gov/SiteCleanup/CorteseList/default.htm)
Helix 1	Helix Environmental Planning, Inc., <i>Jurisdictional Delineation Report</i> , May 7, 2007, revised June 23, 2009.
Helix 2	Helix Environmental Planning, Inc., <i>General Biological Resources Assessment</i> , September 25, 2009.
Helix 3	Helix Environmental Planning, Inc., <i>Determination of Biologically Equivalent or Superior Preservation Report (with errata)</i> , November 16, 2009.
Helix 4	Helix Environmental Planning, Inc., <i>Results of the Burrowing Owl Survey for the Arroyo Del Toro Flood Control Channel Project</i> , dated September 10, 2010.
Helix 5	Helix Environmental Planning, Inc., <i>Arroyo Del Toro Channel Conceptual Restoration Plan</i> , dated December 2, 2010.
IM	Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP), Permittee Implementation Guidance Manual, dated August 2007.
LE Gen Plan	City of Lake Elsinore General Plan Approved, Land Use Map. (Available at: http://www.lake-elsinore.org/index.aspx?page=16)
MSHCP	Multiple Species Habitat Conservation Plan, County of Riverside Transportation and Land Management Agency, dated June 17, 2003.
NPDES	General Permit for Discharges of Storm Water Associated with Construction Activity <u>Construction General Permit Order 2009-0009-DWQ</u> . (Available at: http://www.waterboards.ca.gov)
RCIP	Riverside County Integrated Project, County of Riverside General Plan, October 7, 2003.
Riv Co GIS	County of Riverside, Geographic Information System Database. (Available at http://www3.tlma.co.riverside.ca.us/pa/rclis/index.html).
SARWQCB	Municipal Separate Storm Sewer System (MS4) Permit, Order No. R8-2010-0033, NPDES Permit No. CAS618033, issued January 29, 2010.
SCAQMD	South Coast Air Quality Management District, <i>1993 CEQA Air Quality Handbook, Significance Thresholds and Analysis</i> , supplemental information regarding greenhouse gases (GHG). (Available at http://www.aqmd.gov/ceqa/hdbk.html).
SWRCB	State Water Resources Control Board, Geotracker Database, (Available at: http://geotracker.waterboards.ca.gov)
Thomas Guide	Thomas Guide for San Bernardino & Riverside Counties, street guide. (Available at District and public libraries)

COMMENT LETTERS
AND
RESPONSES

DEPARTMENT OF TRANSPORTATION

DISTRICT 8

PLANNING

464 WEST 4th STREET, 6th Floor MS 725

SAN BERNARDINO, CA 92401-1400

PHONE (909) 383-4557

FAX (909) 383-6890

TTY (909) 383-6300

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AUG 25 2011RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

August 23, 2011

Kent Allen
Engineering Project Manager
Riverside County Flood Control
1995 Market Street
Riverside, CA 92501

Arroyo Del Toro Channel, Initial Study Mitigated Negative Declaration. SCH: 2011081060. Riv-15-PM
22.62

Dear Mr. Allen.

We have completed our review for the above said project which is located west of Interstate 15 (I-15) near the general vicinity of Collier Avenue and Riverside Drive (State Route 74) in the City of Lake Elsinore. This project comprises of the construction of a flood control channel which will collect flows from a series of 19 culverts that cross I-15 and SR-74 and convey these flows safely to the Collier Marsh area of Alberhill Creek.

As the owner and operator of the State Highway System (SHS), it is our responsibility to coordinate and consult with local jurisdictions when proposed development may impact our facilities. As the responsible agency under the California Environmental Quality Act (CEQA), it is also our responsibility to make recommendations to offset associated impacts with the proposed project. Although the project is under the jurisdiction of the City of Lake Elsinore due to the Project's potential impact to State facilities it is also subject to the policies and regulations that govern the SHS.

We have no comments at this time.

We appreciate the opportunity to offer comments concerning this project. If you have any questions regarding this letter, please contact Joe Shaer at (909) 383-6908 or myself at (909) 383-4557 for assistance.

Sincerely,

DANIEL KOPULSKY
Office Chief
Community Planning/IGR-CEQA

"Caltrans improves mobility across California"

Department of Transportation
Response

Department Comment: *No comments at present time.*

District Response: Noted.



California Natural Resources Agency
DEPARTMENT OF FISH AND GAME
<http://www.dfg.ca.gov>
Inland Deserts Region
3602 Inland Empire Blvd., Suite C-200
Ontario, CA 91764
(909) 484-0167

EDMUND G. BROWN, JR., Governor
CHARLTON H. BONHAM, Director



September 14, 2011

Mr. Kris Flanagan
Riverside County Flood Control
1995 Market St.
Riverside, CA 92501

Subject: Mitigated Negative Declaration for the Arroyo Del Toro Channel Improvements
Riverside County -- SCH #2011081060

Dear Mr. Flanagan:

The Department of Fish and Game (Department) appreciates this opportunity to comment on the Mitigated Negative Declaration (MND) for the Arroyo Del Toro Channel Improvements. The Department is responding as a Trustee Agency for fish and wildlife resources [Fish and Game Code sections 711.7 and 1802 and the California Environmental Quality Act Guidelines (CEQA) section 15386] and as a Responsible Agency regarding any discretionary actions (CEQA Guidelines section 15381), such as a Lake and Streambed Alteration Agreement (Section 1600 et seq.).

The Department is also responsible for ensuring appropriate conservation of fish and wildlife resources including rare, threatened, and endangered plant and animal species, pursuant to the California Endangered Species Act, and administers the Natural Community Conservation Plan Program (NCCP). On June 22, 2004, the Department issued Natural Community Conservation Plan Approval and Take Authorization for the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) per Section 2800, et seq., of the California Fish and Game Code.

The County of Riverside proposes to make the following flood control measures to the Arroyo Del Toro Channel: concrete line the channel, construct two energy dissipators and 660 feet of a soft bottom channel that feeds into the Collier Marsh. The project is located in the City of Lake Elsinore between Collier Marsh, and the Interstate 15 (I-15).

Multiple Species Habitat Conservation Plan (MSHCP)

The proposed project occurs within the MSHCP and is subject to the provisions and policies of the MSHCP. Riverside County is signatory to the Implementing Agreement and is a Permittee of the MSHCP. Participants in the MSHCP are issued take authorization for covered species. The MSHCP establishes a multiple species conservation program to minimize and mitigate habitat loss and the incidental take of covered species in association with activities covered under the permit. In order to be considered a covered

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activity, Permittees must demonstrate that proposed actions are consistent with the MSHCP and its associated Implementing Agreement.

Compliance with approved habitat plans, such as the MSHCP, is discussed in CEQA. Section 15125(d) of the Guidelines for the Implementation of the California Environmental Quality Act requires that an environmental impact report (EIR) discuss any inconsistencies between a proposed project and applicable general plans and regional plans, including habitat conservation plans and natural community conservation plans.

The Arroyo Del Toro Channel project is listed in the MSHCP as a covered activity subject to the construction guidelines of MSHCP Section 7.5.3 and Best Management Practices (BMPs). The project has undergone the Joint Project Review (JPR) process and the Determination of Environmentally Superior Preservation (DBESP) review.

Other MSHCP policies and procedures apply to the proposed project such as the Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools policy (MSHCP section 6.1.2 pp 6-20; "Riparian/Riverine and Vernal Pool Policy).

Lake and Streambed Alteration Agreement

The proposed project is within the MSHCP and is subject to Section 6.1.2, Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools. The MSHCP requirement for a DBESP has been complied with. A 1600 Lake and Streambed Alteration Agreement Notification (LSAA) is still required by the Department because the site contains jurisdictional waters. Additionally, the Department's criteria for determining the presence of jurisdictional waters are more comprehensive than the MSHCP criteria in Section 6.1.2. Any mitigation measures required by the resource protection policies of the MSHCP should be included in the CEQA document.

The Department recommends submitting a notification early on, since modification of the proposed project may be required to avoid or reduce impacts to fish and wildlife resources. To obtain a Streambed Alteration Agreement notification package, please go to <http://www.dfg.ca.gov/habcon/1600/forms.html>.

1 A wetland jurisdictional delineation was conducted in 2007, and, for this reason, an update of the jurisdictional delineation is required to make sure that conditions on the site have not changed. According to the MND, the proposed alignment will result in permanent impacts to approximately 0.37 acres to the ephemeral streambed and temporary impacts of approximately 0.22 acres of freshwater marsh and 0.18 acres of alkali marsh. The project will add approximately 380 feet (.56 acres) of new earthen channel downstream of Riverside Drive.

2 The applicant proposes to mitigate temporary impacts to marsh habitat by 0.41 acres of native wetland on a 1:1 ratio, with 0.41 acres of on-site native wetland restoration at the terminus of the channel in Collier Marsh. An additional 0.82 acres (2:1 ratio) of marsh habitat will undergo invasive plant removal in Collier Marsh. Permanent impacts to ephemeral channel will be mitigated by the on-site creation of 0.56 acres of streambed (1.5:1 ratio) within the newly constructed flood control channel between Riverside Drive and

- 2 Collier Marsh. This area is currently upland. The Department usually requires a minimum 3:1 mitigation to impact ratio for wetland mitigation.
- 3 The DBESP states that the earthen channel between Riverside Drive and Collier Marsh would be periodically maintained. In order to assess the adequacy of the mitigation, the Department needs to see the plans for the periodic maintenance of the earthen channel.
- 4 Additionally, the applicant needs to clarify whether the wetland restoration in the channel to Collier Marsh would be subject to maintenance. Any revegetation and creation mitigation measures for the project should be free from removal or maintenance. The project
- 5 description includes two energy dissipation structures north of Riverside Drive. These structures should be considered as a permanent loss of habitat and any proposed maintenance plan should include mitigation for these structures. An assessment also needs
- 6 to be made of the potential impact of the flood control improvements on Collier Marsh and the status and ownership of Collier Marsh needs to be described.

If the CEQA documents do not fully identify potential impacts to lakes, streams, and associated resources and provide adequate avoidance, mitigation, monitoring, funding sources, a habitat management plan and reporting commitments, additional CEQA documentation required prior to execution (signing) of the Agreement. In order to avoid delays or repetition of the CEQA process, potential impacts to a stream or lake, as well as avoidance and mitigation measures need to be discussed within this CEQA document

- 7 The Department opposes the elimination of ephemeral, intermittent and perennial stream channels, lakes and their associated habitats. The Department recommends avoiding the stream and riparian habitat to the greatest extent possible. Any unavoidable impacts need to be compensated with the creation and/or restoration of in-kind habitat either on-site or off-site at a minimum 3:1 replacement-to-impact ratio, depending on the impacts and proposed mitigation. Additional mitigation requirements through the Department's Streambed
- 8 Alteration Agreement process may be required depending on the quality of habitat impacted, proposed mitigation, project design, and other factors.

The following information will be required for the processing of a Streambed Alteration Agreement and the Department recommends incorporating this information to avoid subsequent CEQA documentation and project delays:

- 9
- 1) Delineation of lakes, streams, and associated habitat that will be temporarily and/or permanently impacted by the proposed project (include an estimate of impact to each habitat type);
 - 2) Discussion of avoidance measures to reduce project impacts; and,
 - 3) Discussion of potential mitigation measures required to reduce the project impacts to a level of insignificance.

Please refer to section 15370 of the CEQA guidelines for the definition of mitigation. If the project does not include the criteria listed above, the Department believes that it cannot fulfill its obligations as a Trustee and Responsible Agency for fish and wildlife resources.

The following information will be required for the processing of a Streambed Alteration Agreement and the Department recommends incorporating this information to avoid subsequent CEQA documentation and project delays:

- 1) Delineation of lakes, streams, and associated habitat that will be temporarily and/or permanently impacted by the proposed project (include an estimate of impact to each habitat type);
- 2) Discussion of avoidance measures to reduce project impacts; and,
- 3) Discussion of potential mitigation measures required to reduce the project impacts to a level of insignificance.

Department Concerns

The Department has the following concerns regarding this project:

1. Ownership, history and status of the Collier Marsh;
2. An analysis of potential impacts to Collier Marsh from the project;
3. A long-term maintenance plan;
4. A graphic showing the location of proposed mitigation measures;
5. Plans showing the proposed actions, including the dissipation structures;
6. Provision of a water quality plan to remove urban pollutants from entering the Collier Marsh.

The Department recommends that these materials be provided to the Ontario office and that they be included in any LSAA submittal. If you should have any questions pertaining to these comments, please contact Robin Maloney-Rames, Environmental Scientist, at (909) 980-3818.

Sincerely,



Jeff Brandt
Senior Environmental Scientist

California Department of Fish and Game (CDFG)
Response

1. Department Comment: *“A wetland jurisdictional delineation was conducted in 2007, and, for this reason, an update of the jurisdictional delineation is required to make sure that conditions on the site have not changed. According to the MND, the proposed alignment will result in permanent impacts to approximately 0.37 acres to the ephemeral streambed and temporary impacts of approximately 0.22 acres of freshwater marsh and 0.18 acres of alkali marsh. The project will add approximately 380 feet (.56 acres) of new earthen channel downstream of Riverside Drive.”*

District Response: The Jurisdictional Delineation (JD) conducted in 2007 was performed as the basis for the subsequent General Biological Resources Assessment (GBRA) and Determination of Biologically Equivalent or Superior Preservation (DBESP) Report which were initially submitted to the CDFG on January 20, 2010 in accordance with Section 6.1.2 of the Western Riverside County MSHCP for the proposed project.

The ephemeral streambed bank edges erode periodically as a result of rain events. However, based on field observations from 2007 to the present, the ephemeral stream banks underwent only insignificant change. The District believes that the 2007 JD still characterizes the condition of the ephemeral streambed, and represents an adequate quantification of acreage for jurisdictional and mitigation purposes.

2. Department Comment: *“The applicant proposes to mitigate temporary impacts to marsh habitat by 0.41 acres of native wetland on a 1:1 ratio, with 0.41 acres of on-site native wetland restoration at the terminus of the channel in Collier Marsh. An additional 0.82 acres (2:1 ratio) of marsh habitat will undergo invasive plant removal in Collier Marsh. Permanent impacts to ephemeral channel will be mitigated by the on-site creation of 0.56 acres of streambed (1.5:1) within the newly constructed flood control channel between Riverside Drive and Collier Marsh. This area is currently upland. The Department usually requires a minimum 3:1 mitigation to impact ratio for wetland mitigation.”*

District Response: The temporarily impacted 0.41 acre of Collier Marsh currently provides the functions of wildlife habitat, groundwater recharge, nutrient removal, flood buffering, and sediment stabilization. The temporarily impacted 0.41 acre area will be reseeded in-place (at 1:1 ratio) and allowed to return to its natural condition and functions. The invasive plant removal in 0.82 acre surrounding the temporarily impacted channel section is expected to further improve habitat quality. The combination of 0.41 acre of restoration and 0.82 acre of invasive removal enhancement as proposed is expected to result in an overall improvement in habitat quality from existing conditions and an overall increase in the functions described above.

The functions and services of the upstream ephemeral stream are primarily water conveyance, sediment transport, groundwater recharge, and energy dissipation (hydrologic regime and flood attenuation). The streambed is currently in a disturbed state as an eroded channel adjacent to the Elsinore Valley Cemetery. The streambed characteristics are bare sandy channel with an Ordinary High Water Mark (OHWM) and a non-vegetated bank. The project will not eliminate the functions

and services, but will relocate them to the western end of the flood control channel between Collier Marsh and Riverside Drive within the new earthen channel. Maintenance of the earthen channel will be limited (see next comment).

3. Department Comment: *“The DBESP states that the earthen channel between Riverside Drive and Collier Marsh would be periodically maintained. In order to assess the adequacy of the mitigation, the Department needs to see the plans for the periodic maintenance of the earthen channel.”*

District Response: The District plans to maintain a 12-foot wide low flow channel immediately adjacent to the northeast side slope of the earthen channel. This 12-foot wide strip along with the adjacent side slope would be mowed to prevent flows from backing up upstream of Riverside Drive and creating a public nuisance. The remaining 28-foot wide channel bottom plus 10 feet of the opposite side slope extending from Station 13+82 to 18+88.25 would not be mowed to allow native vegetation to grow, and would provide 0.44 acre of vegetated channel. This channel section will be seeded with a native mix as outlined in the Conceptual Restoration Plan. Sediment will be removed as required from the 12-foot strip to prevent standing water. Removed sediment will be taken to an appropriate disposal location off-site. Eroded areas will be repaired as required. Refer to the attached exhibit, Arroyo Del Toro Channel, dated October 2011.

4. Department Comment: *“Additionally, the applicant needs to clarify whether the wetland restoration in the channel to Collier Marsh would be subject to maintenance. Any revegetation and creation mitigation measures for the project should be free from removal or maintenance.”*

District Response: The temporary impacts to 0.41 acre to Collier Marsh wetlands will be seeded with an appropriate native seed mix and/or container stock once the construction is completed. No maintenance is to occur within the wetland portion of the channel other than non-native and invasive weed removal by the maintenance contractor as directed in the conceptual mitigation plan.

5. Department Comment: *“The project description includes two energy dissipation structures north of Riverside Drive. These structures should be considered as a permanent loss of habitat and any proposed maintenance plan should include mitigation for these structures.”*

District Response: The two energy dissipation structures north of Riverside Drive are located in upland which is not within the boundary of CDFG jurisdictional waters. As such, there is no loss of jurisdictional habitat. A portion of the dissipation structure closest to Riverside Drive will be seeded and not maintained (see District’s response to Department Comment No. 3).

6. Department Comment: *“An assessment also needs to be made of the potential impact of the flood control improvements on Collier Marsh and the status and owner of Collier Marsh needs to be described.”*

District Response: The proposed channel would have negligible impact to the marsh hydrology. First, the predominant source of water to the marsh is the Lake Elsinore Outlet Channel, and it would not be affected by the project. Second, the Collier Marsh is the natural outlet for storm flows generated in the Arroyo Del Toro watershed. The proposed channel would simply provide a direct

connection from the I-15 culverts to Collier Marsh. Refer to DBESP errata, Figure 1 (attached). The Collier Marsh covers 100+ acres with approximately 30 parcels. The District will acquire the necessary property within the Marsh to complete the project including mitigation.

7. Department Comment: *“The Department opposes the elimination of ephemeral, intermittent and perennial stream channels, lakes and their associated habitats. The Department recommends avoiding the stream and riparian habitat to the greatest extent possible”.*

District Response: The District evaluated the feasibility of an avoidance alternative to the proposed project alignment. An analysis of alternative channel alignments to avoid, minimize, and mitigate effects to Riparian/Riverine areas was performed in accordance with MSHCP section 6.1.2. The most cost-effective and least disruptive alternative is depicted in the DBESP errata, Figure 1 (attached). This alignment will result in permanent impacts of approximately 1,790 ft. (0.37 acre) to the ephemeral streambed and temporary impacts of approximately 0.41 acre to Collier Marsh. The revised impacted acreages are also described in the DBESP report errata. The alignment will add approximately 380 ft. (0.56 acre) new earthen channel downstream of Riverside Drive. Approximately 0.44 acre of the new earthen channel would be unmaintained and allowed to vegetate.

The Collier Marsh is the natural outlet for storm flows generated in the Arroyo Del Toro watershed. The channel is designed to convey flow to the marsh while minimizing the alignment footprint to the maximum extent practical. An alternative alignment to completely avoid the channel footprint crossing into Collier Marsh is not feasible. However, the preferred practicable alternative results in minimal temporary impact to the marsh.

Additionally, locating the channel underground within street right-of-way was considered infeasible due to utility conflicts, lengthy traffic disruptions, and lack of sufficient cover. Complete avoidance of Riparian/Riverine areas would necessitate the “no project” alternative. The selected alignment implements the avoidance and minimization principals in compliance with the MSHCP. Details of avoidance and mitigation for impacts are described in DBESP section VII and the Conceptual Restoration Plan.

8. Department Comment: *Any unavoidable impacts need to be compensated with the creation and/or restoration of in-kind habitat either on-site or off-site at a minimum 3:1 replacement-to-impact ratio, depending on the impacts and proposed mitigation. Additional mitigation requirements through the Department’s Streambed Alteration Agreement process may be required depending on the quality of habitat impacted, proposed mitigation, project design, and other factors.”*

District Response: See District’s response to Department Comment No. 2.

9. Department Comment: *“The following information will be required for the processing of a Streambed Alteration Agreement and the Department recommends incorporating this information to avoid subsequent CEQA documentation and project delays:*

- 1) *Delineation of lakes, streams, and associated habitat that will be temporarily and/or permanently impacted by the proposed project (including an estimate of impact to each habitat type);*
- 2) *Discussion of avoidance measures to reduce project impacts; and,*
- 3) *Discussion of potential mitigation measures required to reduce the project impacts to a level of insignificance.*

District Response: The information is provided in the 1600 Streambed Alteration Agreement (SAA) application as follows:

- 1) The delineated boundaries of the impacted areas of both Collier Marsh and the ephemeral streambed, and an estimate of the impacted habitat were identified in the JD report and the Conceptual Restoration Plan that were submitted with the 1600 Streambed Alteration Agreement (SAA) application sent to the CDFG on August 25, 2011.
- 2) See District's response to Department Comment No. 7 above. This information will be added to the SAA application.
- 3) Mitigation measures for the above-mentioned temporary and permanent impacts are identified in the Conceptual Restoration Plan that was submitted with the SAA application on August 25, 2011. For reference, the mitigation described in the Conceptual Restoration Plan is proposed to be implemented to offset the project's temporary impacts to 0.41 acre of wetland and permanent impacts to 0.37 acre of the unvegetated ephemeral streambed. The temporary impacts to the 0.41 acre valley freshwater marsh and cismontane alkali marsh will be mitigated by on-site restoration of marsh habitat in the terminal end of the channel that occurs within Collier Marsh. This restoration will be performed by reseeding 0.41 acre with native wetland plant material (1:1 mitigation ratio). Temporary impacts to this area will also be mitigated by enhancement of 0.82 acre (2:1 mitigation ratio) of marsh habitat by removal of invasive plants located within Collier Marsh adjacent to the terminal end of the channel. Permanent impacts to the unvegetated ephemeral streambed will be mitigated by the on-site creation of 0.56 acre of earthen channel between Stations 13+82 and 18+88.25. Approximately 0.44 acre will be unmaintained within the newly constructed flood control channel between Riverside Drive and Collier Marsh. This is planned for an area that is currently upland.

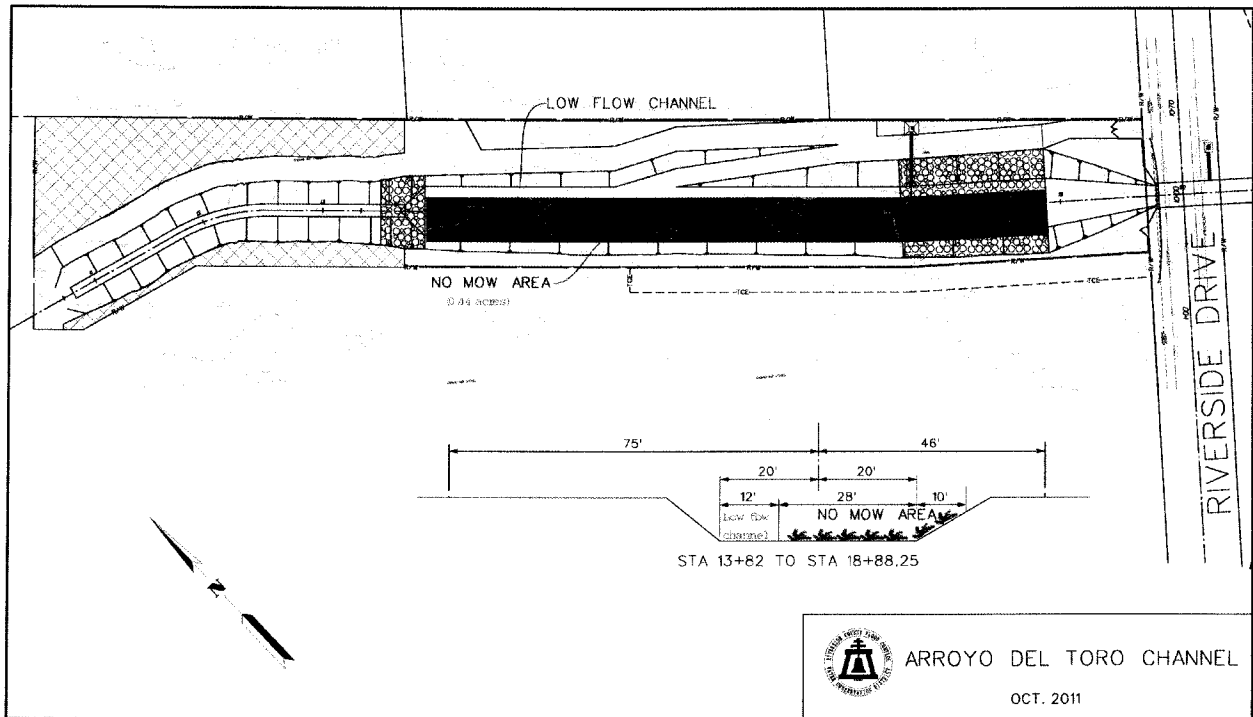
10. Department Comment: *"The Department has the following concerns regarding this project:*

1. *Ownership, history and status of the Collier Marsh;*
2. *An analysis of potential impacts to Collier marsh from the project;*
3. *A long-term maintenance plan;*
4. *A graphic showing the location of proposed mitigation measures;*
5. *Plans showing the proposed actions, including the dissipation structures;*
6. *Provision of a water quality plan to remove urban pollutants from entering the Collier Marsh.*

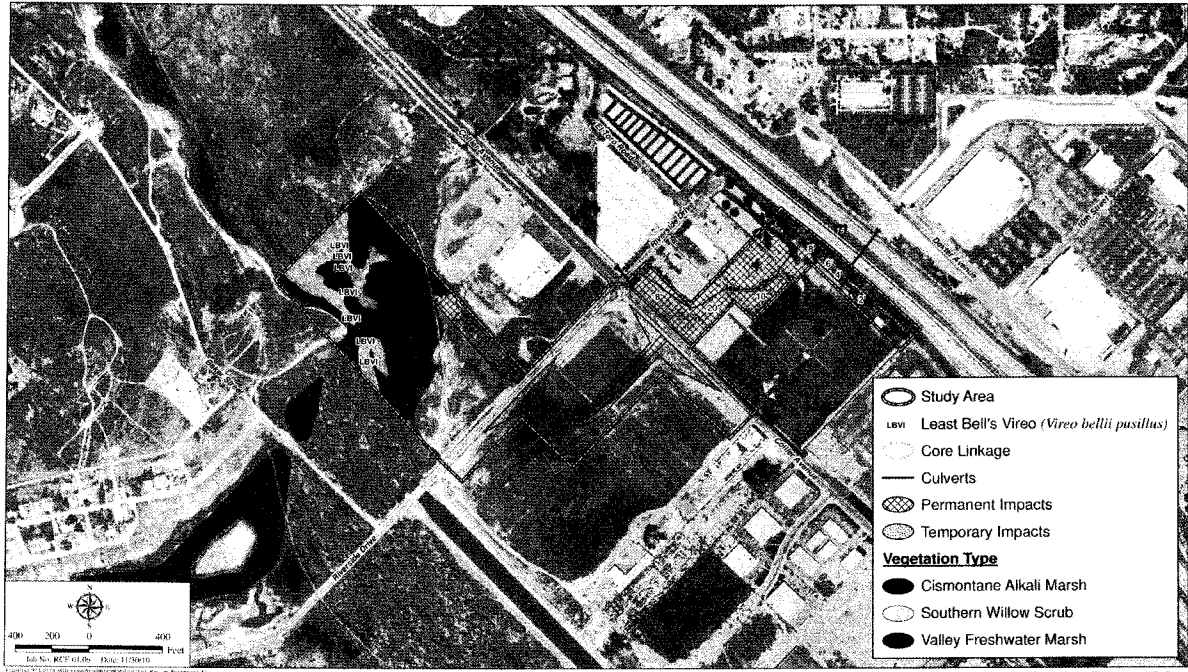
The Department recommends that these materials be provided to the Ontario office and that they be included in any LSAA submittal."

District Response:

1. See District's response to Department Comment No. 6 above.
2. See District's response to Department Comment No. 2 above.
3. See District's response to Department Comments No. 3 & 4 above.
4. See the attached DBESP errata Figures 1 and 2.
5. Plans were submitted with the 1600 SAA application dated August 25, 2011.
6. Regarding Item 6, to address project design features that will reduce water quality impacts to Collier Marsh, the proposed channel improvements will eliminate the erosion that currently occurs in the existing streambed adjacent to the Elsinore Valley Cemetery. This will minimize the potential for local flooding as well as reduce debris conveyance and sediment transport into Collier Marsh. Additionally, the existing detention basin located on the east side of I-215 in Caltrans right-of-way currently provides sediment and debris removal upstream of the proposed project.



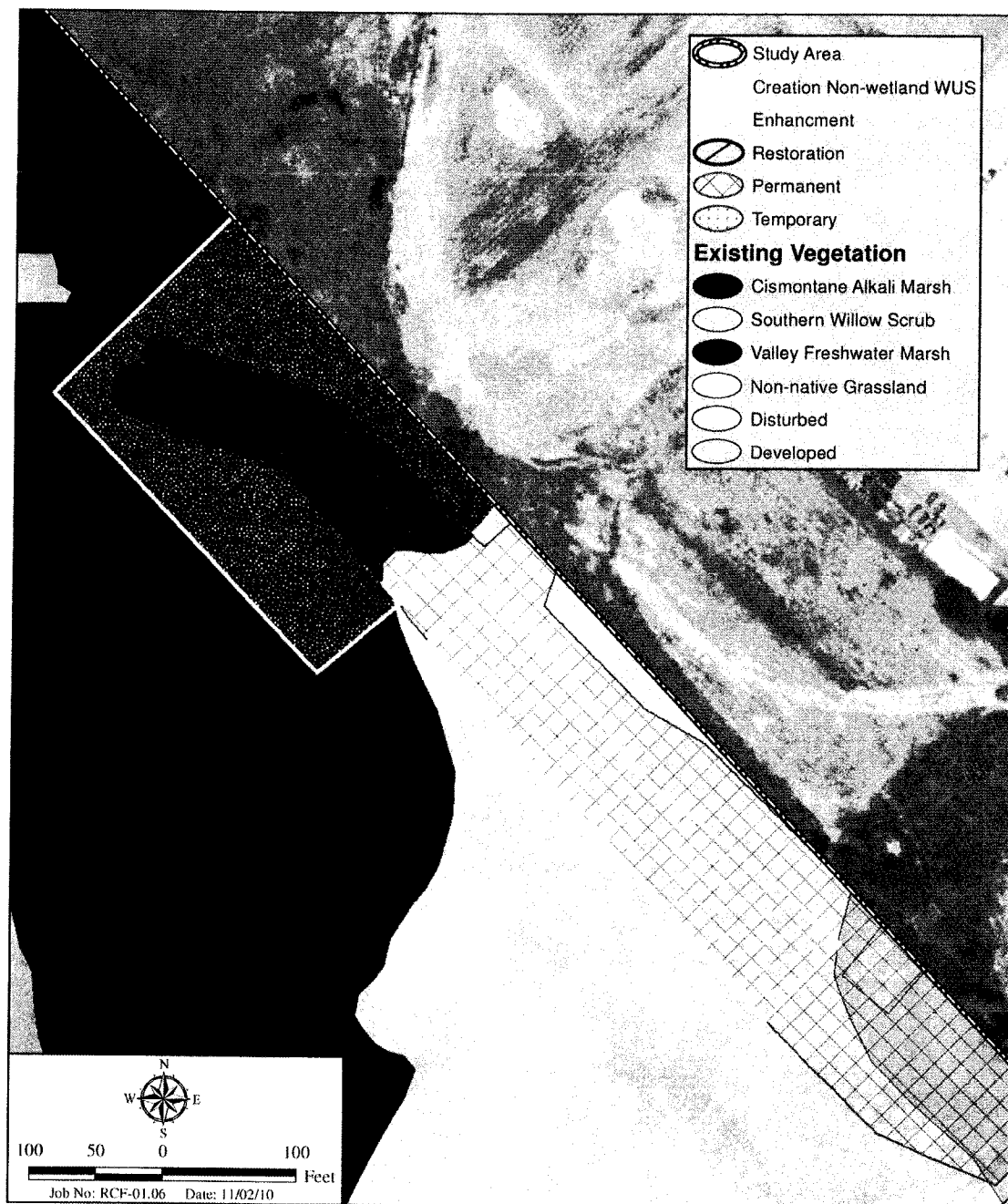
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Riparian/Riverine Impact Map

ARROYO DEL TORO CHANNEL

Figure 1





Matthew Rodriguez
Secretary for
Environmental Protection



Department of Toxic Substances Control

Deborah O. Raphael, Director
5796 Corporate Avenue
Cypress, California 90630



Edmund G. Brown Jr.
Governor

September 13, 2011

RECEIVED
SEP 15 2011

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

Ms. Kris Flanigan
Riverside County Flood Control & Water Conservation District
1995 Market Street
Riverside, California 92501

DRAFT MITIGATED NEGATIVE DECLARATION (ND) FOR ARROYO DEL TORO CHANNEL (SCH# 2011081060)

Dear Ms. Flanigan:

The Department of Toxic Substances Control (DTSC) has received your submitted document for the above-mentioned project. As stated in your document: "The Arroyo Del Toro Channel project consists of the construction and subsequent operation and maintenance of a concrete rectangular channel, reinforced concrete box, an earthen trapezoidal channel, and two rock-lined energy dissipation structures which has a total system length of 3,775 lineal feet. The facility was identified in the 1986 Elsinore Valley Benefit Assessment Flood Control Bond Issue, and will provide flood protection for the local area including the Elsinore Valley Cemetery.

The rectangular channel alignment is parallel to the I-15 freeway for approximately 700 lineal feet, then heads southwest and transitions into a reinforced concrete box for approximately 900 lineal feet to Collier Avenue, crosses under Collier Avenue and turns northwest to State Route 74 for approximately 1,000 lineal feet, crosses under State Route 74, and transitions to an earthen trapezoidal channel that terminates in the Collier Marsh area. The system will be concrete lined except for approximately 660 lineal feet of the terminal end which will be earthen bottom with two rock-lined energy dissipation structures. The terminal 280 lineal feet will be constructed in the existing Collier Marsh. Utility services to be relocated will include cable, telephone, gas, water and sewer within the road rights of way".

Based on the review of the submitted document DTSC has the following comments:

- 1) The document states that the ND would identify any known or potentially contaminated sites within the proposed project area.
- 2) The ND should identify the mechanism to initiate any required investigation

cc: [illegible]

and/or remediation for any site that may be contaminated, and the government agency to provide appropriate regulatory oversight. If hazardous materials or wastes were stored at the site, an environmental assessment should be conducted to determine if a release has occurred. If so, further studies should be carried out to delineate the nature and extent of the contamination, and the potential threat to public health and/or the environment should be evaluated. It may be necessary to determine if an expedited response action is required to reduce existing or potential threats to public health or the environment. If no immediate threat exists, the final remedy should be implemented in compliance with state laws, regulations and policies.

- 3) The project construction may require soil excavation and soil filling in certain areas. Appropriate sampling is required prior to disposal of the excavated soil. If the soil is contaminated, properly dispose of it rather than placing it in another location. Land Disposal Restrictions (LDRs) may be applicable to these soils. Also, if the project proposes to import soil to backfill the areas excavated, proper sampling should be conducted to make sure that the imported soil is free of contamination.
- 4) Human health and the environment of sensitive receptors should be protected during the construction or demolition activities. A study of the site overseen by the appropriate government agency might have to be conducted to determine if there are, have been, or will be, any releases of hazardous materials that may pose a risk to human health or the environment.
- 5) If during construction/demolition of the project, soil and/or groundwater contamination is suspected, construction/demolition in the area should cease and appropriate health and safety procedures should be implemented. If it is determined that contaminated soil and/or groundwater exist, the ND should identify how any required investigation and/or remediation will be conducted, and the appropriate government agency to provide regulatory oversight.
- 6) If weed abatement occurred, onsite soils may contain herbicide residue. If so, proper investigation and remedial actions, if necessary, should be conducted at the site prior to construction of the project.
- 7) If it is determined that hazardous wastes are, or will be, generated by the proposed operations, the wastes must be managed in accordance with the California Hazardous Waste Control Law (California Health and Safety Code, Division 20, Chapter 6.5) and the Hazardous Waste Control Regulations (California Code of Regulations, Title 22, Division 4.5). If it is determined that hazardous wastes will be generated, the facility should also obtain a United States Environmental Protection Agency Identification Number by contacting (800) 618-6942. Certain hazardous waste treatment processes or hazardous

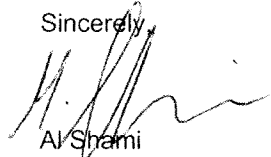
Ms. Kris Flanigan
September 13, 2011
Page 3

materials, handling, storage or uses may require authorization from the local Certified Unified Program Agency (CUPA). Information about the requirement for authorization can be obtained by contacting your local CUPA.

- 8) DTSC can provide guidance for cleanup oversight through an Environmental Oversight Agreement (EOA) for government agencies that are not responsible parties, or a Voluntary Cleanup Agreement (VCA) for private parties. For additional information on the EOA or VCA, please see www.dtsc.ca.gov/SiteCleanup/Brownfields, or contact Ms. Maryam Tasnif-Abbasi, DTSC's Voluntary Cleanup Coordinator, at (714) 484-5489.

If you have any questions regarding this letter, please contact me at ashami@dtsc.ca.gov, or by phone at (714) 484-5472.

Sincerely,



Al Shami
Project Manager
Brownfields and Environmental Restoration Program

cc: Governor's Office of Planning and Research
State Clearinghouse
P.O. Box 3044
Sacramento, California 95812-3044
state.clearinghouse@opr.ca.gov

CEQA Tracking Center
Department of Toxic Substances Control
Office of Environmental Planning and Analysis
P.O. Box 806
Sacramento, California 95812
nritter@dtsc.ca.gov

CEQA # 3320

Department of Toxic Substances Control
Response

District Response: As described in Section VII. of the Initial Study, this project has a low potential to uncover hazardous material during construction. The District reviewed the Department of Toxic Substance Control's Hazardous Waste and Substances List (Cortise List), the State Water Resources Control Board's Geotracker database to identify any hazardous materials sites within the project area. An online records search indicated that listed hazardous material sites are not located within or adjacent to the project area.

In the event that hazardous waste is discovered during site preparation or construction, the identified hazardous waste and/or material shall be handled and disposed of in a manner specified by the State of California Hazardous Waste Control Law (Health and Safety Code, Division 20, Chapter 6.5) and according to the requirements of the California Administrative Code, Title 30, Chapter 22.

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390
Web Site www.nahc.ca.gov
ds_nahc@pacbell.net

RECEIVED
AUG 29 2011



August 26, 2011

RECEIVED
AUG 29 2011

Ms. Kris Flanigan

Riverside County Flood Control & Water Conservation District

1995 Market Street
Riverside, CA 92501

Re: SCH# 2011081060; CEQA Notice of Completion; Initial Study and proposed Mitigated Negative Declaration for the "Arroyo Del Toro Channel Project;" located in the City of Lake Elsinore for about 3,770 linear feet; Riverside County, California.

Dear Ms. Flanigan:

The Native American Heritage Commission (NAHC), the State of California 'Trustee Agency' for the protection and preservation of Native American cultural resources pursuant to California Public Resources Code §21070 and affirmed by the Third Appellate Court in the case of EPIC v. Johnson (1985: 170 Cal App. 3rd 604). The NAHC wishes to comment on the proposed project.

This letter includes state and federal statutes relating to Native American historic properties of religious and cultural significance to American Indian tribes and interested Native American individuals as 'consulting parties' under both state and federal law. State law also addresses the freedom of Native American Religious Expression in Public Resources Code §5097.9.

The California Environmental Quality Act (CEQA – CA Public Resources Code 21000-21177, amendments effective 3/18/2010) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the CEQA Guidelines defines a significant impact on the environment as 'a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ... objects of historic or aesthetic significance.' In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE)', and if so, to mitigate that effect. The NAHC Sacred Lands File (SLF) search resulted as follows: **Native American cultural resources were not identified** within one-half mile of the 'area of potential effect (APE)'. However, the nearby area is considered by the NAHC as culturally sensitive.

The NAHC "Sacred Sites," as defined by the Native American Heritage Commission and the California Legislature in California Public Resources Code §§5097.94(a) and 5097.96. Items in the NAHC Sacred Lands Inventory are confidential and exempt from the Public Records Act pursuant to California Government Code §6254 (r).

Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries of cultural resources or burial sites once a project is underway.

Culturally affiliated tribes and individuals may have knowledge of the religious and cultural significance of the historic properties in the project area (e.g. APE). We strongly urge that you make contact with the list of Native American Contacts on the attached list of Native American contacts, to see if your proposed project might impact Native American cultural resources and to obtain their recommendations concerning the proposed project. Pursuant to CA Public Resources Code § 5097.95, the NAHC requests that the Native American consulting parties be provided pertinent project information. Consultation with Native American communities is also a matter of environmental justice as defined by California Government Code §65040.12(e). Pursuant to CA Public Resources Code §5097.95, the NAHC requests that pertinent project information be provided consulting tribal parties. The NAHC recommends *avoidance* as defined by CEQA Guidelines §15370(a) to pursuing a project that would damage or destroy Native American cultural resources and Section 2183.2 that requires documentation, data recovery of cultural resources.

Furthermore, the NAHC is of the opinion that the current project remains under the jurisdiction of the statutes and regulations of the National Environmental Policy Act (e.g. NEPA; 42 U.S.C. 4321-43351). Consultation with tribes and interested Native American consulting parties, on the NAHC list, should be conducted in compliance with the requirements of federal NEPA and Section 106 and 4(f) of federal NHPA (16 U.S.C. 470 *et seq.*), 36 CFR Part 800.3 (f) (2) & .5, the President's Council on Environmental Quality (CSQ, 42 U.S.C 4371 *et seq.* and NAGPRA (25 U.S.C. 3001-3013) as appropriate. The 1992 *Secretary of the Interiors Standards for the Treatment of Historic Properties* were revised so that they could be applied to all historic resource types included in the National Register of Historic Places and including cultural landscapes. Also, federal Executive Orders Nos. 11593 (preservation of cultural environment), 13175 (coordination & consultation) and 13007 (Sacred Sites) are helpful, supportive guides for Section 106 consultation. The aforementioned Secretary of the Interior's *Standards* include recommendations for all 'lead agencies' to consider the historic context of proposed projects and to "research" the cultural landscape that might include the 'area of potential effect.'

Confidentiality of "historic properties of religious and cultural significance" should also be considered as protected by California Government Code §6254(r) and may also be protected under Section 304 of the NHPA or at the Secretary of the Interior discretion if not eligible for listing on the National Register of Historic Places. The Secretary may also be advised by the federal Indian Religious Freedom Act (cf. 42 U.S.C., 1996) in issuing a decision on whether or not to disclose items of religious and/or cultural significance identified in or near the APEs and possibility threatened by proposed project activity.

Furthermore, Public Resources Code Section 5097.98, California Government Code §27491 and Health & Safety Code Section 7050.5 provide for provisions for accidentally discovered archeological resources during construction and mandate the processes to be followed in the event of an accidental discovery of any human remains in a project location other than a 'dedicated cemetery'.

To be effective, consultation on specific projects must be the result of an ongoing relationship between Native American tribes and lead agencies, project proponents and their contractors, in the opinion of the NAHC. Regarding tribal consultation, a relationship built around regular meetings and informal involvement with local tribes will lead to more qualitative consultation tribal input on specific projects.

If you have any questions about this response to your request, please do not hesitate to contact me at (916) 653-6251.

Sincerely,



Dave Singleton
Program Analyst

Cc: State Clearinghouse

Attachment: Native American Contact List

California Native American Contact List
Riverside County
August 26, 2011

Los Coyotes Band of Mission Indians
Shane Chapparosa, Spokesperson
P.O. Box 189 Cahuilla
Warner , CA 92086
loscoyotes@earthlink.net
(760) 782-0711
(760) 782-2701 - FAX

Ramona Band of Cahuilla Mission Indians
Joseph Hamilton, Chairman
P.O. Box 391670 Cahuilla
Anza , CA 92539
admin@ramonatribe.com
(951) 763-4105
(951) 763-4325 Fax

Pala Band of Mission Indians
Tribal Historic Preservation Office/Shasta Gaugher
35008 PalaTemecula Rd, PMB Luiseno
Pala , CA 92059 Cupeno
sgaugher@palatribe.com
(760) 891-3515
(760) 742-3189 Fax

Rincon Band of Mission Indians
Tiffany Wolfe, Cultural & Environmental
P.O. Box 68 Luiseno
Valley Center, CA 92082
twolfe@rincontribe.org
(760) 297-2632
(760) 297-2639 Fax

Pauma & Yuima Reservation
Randall Majel, Chairperson
P.O. Box 369 Luiseno
Pauma Valley CA 92061
paumareservation@aol.com
(760) 742-1289
(760) 742-3422 Fax

Santa Rosa Band of Mission Indians
Mayme Estrada, Chairwoman
P.O. Box 609 Cahuilla
Hemet , CA 92546
srbcioffice@yahoo.com
(951) 658-5311
(951) 658-6733 Fax

Pechanga Band of Mission Indians
Paul Macarro, Cultural Resource Center
P.O. Box 1477 Luiseno
Temecula , CA 92593
(951) 770-8100
pmacarro@pechanga-nsn.
gov
(951) 506-9491 Fax

Morongo Band of Mission Indians
Michael Contreras, Cultural Heritage Prog.
12700 Pumarra Road Cahuilla
Banning , CA 92220 Serrano
(951) 201-1866 - cell
mcontreras@morongo-nsn.
gov
(951) 922-0105 Fax

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2011081060; CEQA Notice of Completion; Initial Study and proposed Mitigated Negative Declaration for the Arroyo Del Toro Channel Project; located in the City of Lake Elsinore; southwestern Riverside County, California.

Native American Heritage Commission
Response

District Response: As described in Section Vb) of the Initial Study, the Native American Heritage Commission (NAHC) was contacted on February 13, 2007 regarding the Sacred Lands Inventory to determine whether any known cultural properties are present within or adjacent to the project area. The NAHC responded that no Native American cultural resources are known to exist within or adjacent to the project area. As recommended by the NAHC, the District has contacted all the nearest Native American tribes and requested any information they have receiving any new information. Applicable recommendations from the tribes will be incorporated into the final construction specifications. The recommended mitigation measures in Section V of the Initial Study will provide a means to adequately protect and evaluate any unknown cultural resources should they be accidentally uncovered during construction. Potential adverse impacts to cultural resources will remain below a level of significance.

Flanigan, Kris

From: Glenn Robertson [grobertson@waterboards.ca.gov]
Sent: Thursday, September 15, 2011 9:13 PM
To: Flanigan, Kris
Cc: Mark Adelson; Marc Brown
Subject: Arroyo Del Toro Channel Project, Mitigated Negative Declaration
Attachments: Robertson, Glenn.vcf

To Kris Flanigan, Riverside County Flood Control and Water Conservation District:

This electronic mail constitutes Regional Water Quality Control Board staff comments on the above-referenced MND. The Project which will channelize 3,775 lineal feet of unvegetated ephemeral drainage in the City of Lake Elsinore, between Interstate 15, Collier Avenue, and Collier Marsh, where the project terminates in wetland waters of the U.S.

We concur with MND p.2 that a Clean Water Act Section 401 Water Quality Standards Certification will be necessary, in conjunction with U.S. Army Corps of Engineers. If the Corps does not take jurisdiction, please submit to us a Report of Waste Discharge so that we may process waste discharge requirements.

There must be no net loss of wetlands, and we request that avoidance of waters of the U.S. and state be exercised where possible. During the Certification process, Regional Board staff reserve the right to negotiate the actions proposed under Mitigation Measure BIO-3 to mitigate for temporary and permanent impacts to waters of the U.S. and state. However, at this time the proposed mitigation outlined in Table 1 (from the Conceptual Restoration Plan) appears satisfactory.

This proposed mitigation includes onsite marsh restoration at a 1:1 ratio (for temporary impacts to 0.41 ac of wetland), marsh enhancement by removal of invasive plants at a 2:1 ratio (0.82 ac for those temporary impacts to 0.41 ac of wetland), and on-site creation of 0.56 acre of streambed between Riverside Drive and Collier Marsh for permanent impacts to the ephemeral drainage (1.5:1 ratio).

Thank you for the opportunity to comment. Glenn Robertson

Glenn Robertson, Engineering Geologist
CEQA Coordinator
California Regional Water Quality Control Board, Santa Ana Region (8)
3737 Main Street, Suite 500
Riverside, CA 92501-3348
(951) 782-3259
Fax (951) 781-6288
Email grobertson@waterboards.ca.gov
Website: www.waterboards.ca.gov/santaana

Regional Water Quality Control Board
Response

Comment: *“We concur with MND p.2 that a Clean Water Act Section 401 Water Quality Standards Certification will be necessary, in conjunction with U.S. Army Corps of Engineers. If the Corps does not take jurisdiction, please submit to us a Report of Waste Discharge so that we may process waste discharge requirements.”*

District Response: The District has applied for both U.S. Army Corps Section 404 and Clean Water Act Section 401 Water Quality Certification permits. If the U.S. Army Corps decides to not take jurisdiction the District will submit a Report of Waste Discharge.

Comment: *“There must be no net loss of wetlands, and we request that avoidance of water of the U.S. and state be exercised where possible. During the Certification process, Regional Board staff reserve the right to negotiate the actions proposed under Mitigation Measure BIO-3 to mitigate for temporary and permanent impacts to waters of the U.S. and state. However, at this time the proposed mitigation outlined in Table 1 (from the Conceptual Restoration Plan) appears satisfactory.”*

District Response: Comment noted.



RIVERSIDE COUNTY FIRE DEPARTMENT
IN COOPERATION WITH
THE CALIFORNIA DEPARTMENT OF FORESTRY AND FIRE PROTECTION

John R. Hawkins ~ Fire Chief
210 West San Jacinto Avenue ~ Perris, CA 92570
(951) 940-6900 ~ www.rvcfire.org

PROUDLY SERVING THE
UNINCORPORATED AREAS
OF RIVERSIDE COUNTY
AND THE CITIES OF:

BANNING
BEAUMONT
CALIMESA
CANYON LAKE
COACHELLA
DESERT HOT SPRINGS
EASTVALE
INDIAN WELLS
INDIO
LAKE ELSINORE
LA QUINTA
MENIFEE
MORENO VALLEY
PALM DESERT
PERRIS
RANCHO MIRAGE
RUBIDOUX CSD
SAN JACINTO
TEMECULA
WILDOMAR

**BOARD OF
SUPERVISORS**

BOB BUSTER
DISTRICT 1

JOHN TAVAGLIONE
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DISTRICT 4

MARION ASHLEY
DISTRICT 5

September 14, 2011

Riverside County Flood Control and Water Conservation District
Attn: Environmental Regulatory Services II
1995 Market Street
Riverside, CA 92501

**RE: RCFD comments regarding Initial Study/Mitigated Negative Declaration for proposed
Arroyo Del Toro Channel Project**

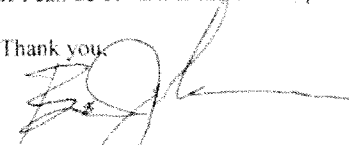
To Whom It May Concern:

Per your written request dated August 15, 2011 for comments and concerns specific to this Project and its impacts to fire and emergency services, please review the below comments for consideration:

The RCFD has reviewed the Project's IS/MND documents and agrees with the Initial Study's findings for "no impact" to fire/EMS services.

If I can be of further assistance, please contact me at 951.940.6308 or ben.johnson@fire.ca.gov.

Thank you,



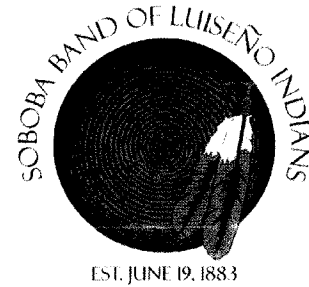
Ben R. Johnson, AICP
Planning & Development Supervisor
Strategic Planning Bureau

Riverside County Fire Department
Response

District Response: Comment noted.

August 25, 2011

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



**Re: Notice of Intent to Adopt a Negative Declaration for the
Arroyo Del Toro Channel Project**

The Soboba Band of Luiseño Indians appreciates your observance of Tribal Cultural Resources and their preservation in your project. The information provided to us on said project has been assessed through our Cultural Resource Department, where it was concluded that although it is outside the existing reservation, the project area does fall within the bounds of our Tribal Traditional Use Areas. This project location is in close proximity to known village sites and is a shared use area that was used in ongoing trade between the Luiseno and Cahuilla tribes. Therefore it is regarded as highly sensitive to the people of Soboba.

Soboba Band of Luiseño Indians is requesting the following:

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

Sincerely,

Joseph Ontiveros
Soboba Cultural Resource Department
P.O. Box 487
San Jacinto, CA 92581
Phone (951) 654-5544 ext. 4137
Cell (951) 663-5279
jontiveros@soboba-nsn.gov

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

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

Treatment and Disposition of Remains.

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

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

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

D. All parties are aware that the Soboba Band may wish to rebury the human remains and associated ceremonial and cultural items (artifacts) on or near, the site of their discovery, in an area that shall not be subject to future subsurface disturbances. The Developer should accommodate on-site reburial in a location mutually agreed upon by the Parties.

E. The term "human remains" encompasses more than human bones because the Soboba Band's traditions periodically necessitated the ceremonial burning of human remains. Grave goods are those artifacts associated with any human remains. These items, and other funerary remnants and their ashes are to be treated in the same manner as human bone fragments or bones that remain intact.

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

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

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

Soboba Band of Luiseno Indians
Response

Comment: *"Soboba Band of Luiseno Indians is requesting the following:*

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

District Response: In observance of the above-mentioned cultural issues, the District will coordinate as follows:

1. As described in Section Vb) of the Initial Study, the Native American Heritage Commission (NAHC) was initially contacted on February 13, 2007 regarding the Sacred Lands Inventory to determine whether any known cultural properties are present within or adjacent to the project area. The NAHC responded that no Native American cultural resources are known to exist within or adjacent to the project area. In accordance with the NAHC recommendations, the Soboba Band of Luiseno Indians was contacted by the District's consultant in a letter dated February 27, 2007 to solicit any information or concerns regarding cultural resource issues related to the project area. The District will continue consultation with the Soboba Band of Luiseno Indians regarding cultural issues.
2. The District believes the potential for encountering Native American cultural resources or sacred sites within the project limits is unlikely, nonetheless for this project, the District will ensure that a qualified archaeologist be present onsite for the area between Collier Avenue and Riverside Drive during the initial grading and excavation activities. In the event that any Native American artifact, object, or site is accidentally discovered during construction, the Soboba Tribe will be notified immediately. Any accidentally discovered cultural resources will also be addressed in accordance with the provisions contained in CEQA Guidelines and Public Resources Code 21083.2(i).
3. The District acknowledges that the Soboba Band of Luiseno Indians continues to act as a consulting tribal entity for this project.

4. The District understands the Soboba Band of Luiseno Indians' cultural ties to this area and is willing to allow tribal monitors to access the area between Collier Avenue and Riverside Drive during initial grading and excavation activities. The remainder of the project area is not considered sufficiently sensitive to warrant archaeological monitoring.

In the event the Soboba Band of Luiseno Indians wishes to have monitors present during grading and excavation activities, they will need to complete an application for a No-Fee Access Permit located at www.fcflood.org/encroachmentpermits.aspx. The permit application should include all Soboba Band of Luiseno Indians personnel that would be present onsite during construction activities. Further, all such personnel will be expected to attend a pre-construction meeting to be held at the District's office. For safety purposes, access to the construction site will need to be closely coordinated with the District's Design and Construction Division. In addition, any Soboba Band of Luiseno Indians personnel present at the construction site will be required to interact directly with the District's designated construction inspector on all matters pertaining to the project.

5. Procedures for proper handling of cultural resources, if encountered during construction, are specifically addressed in the Mitigating Measures of Section V of the Initial Study. The cultural resource issues described in the Soboba Band of Luiseno Indians August 25, 2011 letter and attachment regarding artifacts, treatment and disposition of remains, coordination with the County Coroner's office, and non-disclosure of location reburials will be observed.



Edmund G. Brown Jr.
Governor

STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit



Ken Alex
Director

September 16, 2011

RECEIVED
SEP 19 2011

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

Kris Flanigan
Riverside County Flood Control & Water Conservation District
1995 Market Street
Riverside, CA 92501

Subject: Arroyo Del Toro Channel
SCH#: 2011081060

Dear Kris Flanigan:

The State Clearinghouse submitted the above named Mitigated Negative Declaration to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on September 15, 2011, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Enclosures
cc: Resources Agency

1400 TENTH STREET P.O. BOX 3044 SACRAMENTO, CALIFORNIA 95812-3044
TEL (916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

**Document Details Report
State Clearinghouse Data Base**

SCH# 2011081060
Project Title Arroyo Del Toro Channel
Lead Agency Riverside County Flood Control and Water Conservation

Type MND Mitigated Negative Declaration

Description The Arroyo Del Toro Channel project consists of the construction and subsequent operation and maintenance of a concrete rectangular channel, reinforced concrete box, an earthen trapezoidal channel, and two rock-lined energy dissipation structures which has a total system length of 3,775 lineal feet. The facility was identified in the 1986 Elsinore Valley Benefit Assessment Flood Control Bond Issue, and will provide flood protection for the local area including the Elsinore Valley Cemetery.

The rectangular channel alignment is parallel to the I-15 freeway for approximately 700 lineal feet, then heads southwest and transitions into a reinforced concrete box for approximately 900 lineal feet to Collier Avenue, crosses under Collier Avenue and turns northwest to SR 74 (Riverside Drive) for approximately 1,000 lineal feet, crosses under SR 74, and transitions to an earthen trapezoidal channel that terminates in the Collier Marsh area. The system will be concrete lined except for approximately 660 lineal feet of the terminal end which will be earthen bottom with two rock-lined energy dissipation structures. The terminal 280 lineal feet will be constructed in the existing Collier Marsh. Utility services to be relocated will include cable, telephone, gas, water and sewer within the road rights-of-way.

Lead Agency Contact

Name Kris Flanigan
Agency Riverside County Flood Control & Water Conservation District
Phone (951) 955-8581 **Fax**
email
Address 1995 Market Street
City Riverside **State** CA **Zip** 92501

Project Location

County Riverside
City Lake Elsinore
Region
Lat / Long
Cross Streets Collier Avenue and Riverside Drive
Parcel No.
Township **Range** **Section** **Base**

Proximity to:

Highways SR-74
Airports
Railways
Waterways Lake Elsinore and Collier Marsh
Schools Kid's Cottage School, Earl Warren
Land Use Freeway business/general commercial

Project Issues Archaeologic-Historic; Biological Resources; Noise; Toxic/Hazardous

Reviewing Agencies Resources Agency; Department of Fish and Game, Region 6; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 8; Regional Water Quality Control Board, Region 8; Department of Toxic Substances Control; Native American Heritage Commission

Date Received 08/17/2011 **Start of Review** 08/17/2011 **End of Review** 09/15/2011

Note: Blanks in data fields result from insufficient information provided by lead agency.

State Clearinghouse
Response

District Response: This letter confirms that the CEQA document was transmitted to the State agencies for review in accordance with CEQA.

Flanigan, Kris

From: Gonzalez, Sergio [sergio.gonzalez@twcable.com]
Sent: Tuesday, August 23, 2011 11:34 AM
To: trmheiner@rcflood.org
Cc: Flanigan, Kris; Waters, Steven
Subject: Del Toro Channel project.
Attachments: del toro channel project; del toro channel project

Hi Tom and Kris ; Attached please find the TWC utilities map system where there is no conflicts with yours project thanks.

This E-mail and any of its attachments may contain Time Warner Cable proprietary information, which is privileged, confidential, or subject to copyright belonging to Time Warner Cable. This E-mail is intended solely for the use of the individual or entity to which it is addressed. If you are not the intended recipient of this E-mail, you are hereby notified that any dissemination, distribution, copying, or action taken in relation to the contents of and attachments to this E-mail is strictly prohibited and may be unlawful. If you have received this E-mail in error, please notify the sender immediately and permanently delete the original and any copy of this E-mail and any printout.

Time Warner Cable
Response

District Response: Comment noted.



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Ecological Services

Palm Springs Fish and Wildlife Office
777 East Tahquitz Canyon Way, Suite 208
Palm Springs, California 92262



In Reply Refer To:
FWS-WRIV-10B0232-10CPA0478

RECEIVED
SEP 27 2011

SEP 23 2011

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

Riverside County Flood Control and Water Conservation District
Attn: Environmental Regulatory Services II
1995 Market Street
Riverside, CA 92501

Subject: Notice of Intent to Adopt a Mitigated Negative Declaration for the Arroyo Del
Torro Channel Project, City of Lake Elsinore, California

Dear Mr. Rheiner:

The U.S. Fish and Wildlife Service (Service), has reviewed the draft Initial Study and Mitigated Negative Declaration (MND) for the Arroyo Del Torro Channel Project dated August 15, 2011. The Riverside County Flood Control and Water Conservation District (District) proposes to construct, operate, and maintain a concrete, rectangular channel, reinforced concrete box, earthen trapezoidal channel, and two rock-lined energy dissipation structures to provide flood protection in the local area of the Elsinore Valley Cemetery, in the City of Lake Elsinore. The project has a total length of 3,775 lineal feet and is located on the west side of I-15 Freeway and east, south, and west of the intersection of Collier Road and State Route 74, in the County of Riverside.

The primary concern and mandate of the Service is the protection of public fish and wildlife resources and their habitats. The Service has legal responsibility for the welfare of migratory birds, anadromous fish, and endangered animals and plants occurring in the United States. The Service is also responsible for administering the Endangered Species Act of 1973 (Act), as amended (16 U.S.C. 1531 *et seq.*).

On June 22, 2004, the Service issued a section 10(a)(1)(B) permit for the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). The MSHCP establishes a multiple species conservation program to minimize and mitigate habitat loss and the incidental take of covered species in association with activities covered under the permit.

The District submitted a Determination of Biologically Equivalent or Superior Preservation (DBESP) report for the proposed project which the Service received on January 21, 2010. The Service provided comments to the District in a letter dated March 22, 2010. The District responded to our comments in a letter dated December 8, 2010 which provided additional requested information; we appreciate the District's attention to our comments. On July 7, 2011, we received an updated Joint Project Review 11-03-31-01 (JPR) for the proposed project to review for consistency with the MSHCP. The Service and the Department of Fish and Game

found the project, as described in the JPR, to be consistent with the MSHCP and therefore did not comment on the JPR. To protect sensitive bird species associated with Riparian/Riverine habitats, the DBESP and the JPR state that construction and maintenance will not occur during the breeding season.

Mitigation Measure BIO 2 of the draft Initial Study and Mitigated Negative Declaration states that if feasible, vegetation clearing will not be conducted during the nesting season for sensitive riparian birds (see MM Bio 2, Table 1 and page 25 in MND). The DBESP and JPR state definitively that construction and maintenance would not occur during the nesting season and did not include the 'if feasible' clause. We recommend that the 'if feasible' clause in Mitigation Measure BIO 2 be removed so that it is consistent with the commitments made in the JPR and DBESP. Alternatively, if the project will not be implemented consistent with the existing JPR and DBESP, those documents should be revised and resubmitted.

We acknowledge and appreciate the avoidance and minimization measures provided in the MND for wetland resources. Project impacts to wetlands have been further reduced through an updated, final Project Design as presented in the DBESP errata dated December 2, 2010, which was provided in the JPR package.

If you have any questions pertaining to these comments, please contact Noelle Ronan at 760-322-2070, extension 215.

Sincerely,

A handwritten signature in black ink, appearing to read "Kennon A. Corey", with a long horizontal line extending to the right.

Kennon A. Corey
Assistant Field Supervisor

cc:
Charles Landry, RCA

U.S. Fish and Wildlife Service
Response

Comment: *“Mitigation Measure BIO 2 of the Initial Study and Mitigated Negative Declaration states that if feasible, vegetation clearing will not be conducted during the nesting season for sensitive riparian birds (see MM Bio 2, Table 1 and page 25 on MND). The DBESP and JPR state definitively that if construction and maintenance would not occur during the nesting season and did not include the ‘if feasible’ clause. We recommend that the ‘if feasible’ clause in Mitigation Measure BIO 2 be removed so that it is consistent with the commitments made in the JPR and DBESP. Alternatively, if the project will not be implemented consistent with the existing JPR and DBESP, those documents should be revised and resubmitted.”*

District Response: Mitigation Measure BIO 2 has been revised as follows:

MM Bio 2: Timing of construction activities will consider seasonal requirements for breeding birds and migratory non-resident species. Habitat clearing will be avoided during species active breeding season defined as March 1 to August 31.

APPENDIX A

URBEMIS Summary Report

7/20/2011 9:20:43 AM

Urbemis 2007 Version 9.2.4

Combined Annual Emissions Reports (Tons/Year)

File Name: C:\WINNT\Profiles\mrheine\Application Data\Urbemis\Version9a\Projects\ADT allocate volumes Jul 14.urb924

Project Name: Arroyo del Toro channel project

Project Location: Riverside County

On-Road Vehicle Emissions Based on: Version : Emfac2007 V2.3 Nov 1 2006

Off-Road Vehicle Emissions Based on: OFFROAD2007

Summary Report:

CONSTRUCTION EMISSION ESTIMATES

	ROG	NOx	CO	SO2	PM10 Dust	PM10 Exhaust	PM10	PM2.5 Dust	PM2.5 Exhaust	PM2.5	CO2
2012 TOTALS (tons/year unmitigated)	0.23	1.99	0.89	0.00	0.65	0.09	0.73	0.14	0.08	0.22	253.19
2013 TOTALS (tons/year unmitigated)	0.13	1.00	0.48	0.00	0.26	0.05	0.31	0.06	0.04	0.10	146.25

Construction Unmitigated Detail Report:

CONSTRUCTION EMISSION ESTIMATES Annual Tons Per Year, Unmitigated

ROG	NOx	CO	SO2	PM10 Dust	PM10 Exhaust	PM10	PM2.5 Dust	PM2.5 Exhaust	PM2.5	CO2
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7/20/2011 9:20:44 AM

2013	0.13	1.00	0.48	0.00	0.26	0.05	0.31	0.06	0.04	0.10	146.25
Mass Grading 10/15/2012-01/07/2013	0.01	0.05	0.02	0.00	0.04	0.00	0.04	0.01	0.00	0.01	6.93
Mass Grading Dust	0.00	0.00	0.00	0.00	0.04	0.00	0.04	0.01	0.00	0.01	0.00
Mass Grading Off Road Diesel	0.01	0.05	0.02	0.00	0.00	0.00	0.00	0.00	0.00	0.00	6.19
Mass Grading On Road Diesel	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.35
Mass Grading Worker Trips	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.39
Mass Grading 01/07/2013-01/18/2013	0.03	0.26	0.11	0.00	0.08	0.01	0.09	0.02	0.01	0.03	40.74
Mass Grading Dust	0.00	0.00	0.00	0.00	0.08	0.00	0.08	0.02	0.00	0.02	0.00
Mass Grading Off Road Diesel	0.03	0.24	0.10	0.00	0.00	0.01	0.01	0.00	0.01	0.01	35.57
Mass Grading On Road Diesel	0.00	0.02	0.01	0.00	0.00	0.00	0.00	0.00	0.00	0.00	4.24
Mass Grading Worker Trips	0.00	0.00	0.01	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.93
Mass Grading 01/21/2013-02/15/2013	0.06	0.51	0.25	0.00	0.15	0.02	0.17	0.03	0.02	0.05	74.99
Mass Grading Dust	0.00	0.00	0.00	0.00	0.15	0.00	0.15	0.03	0.00	0.03	0.00
Mass Grading Off Road Diesel	0.06	0.49	0.22	0.00	0.00	0.02	0.02	0.00	0.02	0.02	68.26
Mass Grading On Road Diesel	0.00	0.02	0.01	0.00	0.00	0.00	0.00	0.00	0.00	0.00	4.24
Mass Grading Worker Trips	0.00	0.00	0.02	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2.49
Asphalt 02/18/2013-03/06/2013	0.03	0.18	0.10	0.00	0.00	0.01	0.01	0.00	0.01	0.01	23.60
Paving Off-Gas	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Paving Off Road Diesel	0.02	0.17	0.09	0.00	0.00	0.01	0.01	0.00	0.01	0.01	21.61
Paving On Road Diesel	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.57
Paving Worker Trips	0.00	0.00	0.01	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.41

7/20/2011 9:20:44 AM

Phase Assumptions

Phase: Mass Grading 7/2/2012 - 8/31/2012 - Excavation

Total Acres Disturbed: 8

Maximum Daily Acreage Disturbed: 0.5

Fugitive Dust Level of Detail: Default

20 lbs per acre-day

On Road Truck Travel (VMT): 266.67

Off-Road Equipment:

1 Excavators (168 hp) operating at a 0.57 load factor for 8 hours per day

2 Off Highway Trucks (479 hp) operating at a 0.57 load factor for 8 hours per day

1 Rubber Tired Dozers (357 hp) operating at a 0.59 load factor for 6 hours per day

1 Tractors/Loaders/Backhoes (108 hp) operating at a 0.55 load factor for 7 hours per day

1 Water Trucks (189 hp) operating at a 0.5 load factor for 8 hours per day

Phase: Mass Grading 10/15/2012 - 1/7/2013 - Reinforced concrete box

Total Acres Disturbed: 3

Maximum Daily Acreage Disturbed: 0.75

Fugitive Dust Level of Detail: Default

20 lbs per acre-day

On Road Truck Travel (VMT): 32.79

Off-Road Equipment:

1 Cranes (399 hp) operating at a 0.43 load factor for 8 hours per day

1 Other General Industrial Equipment (238 hp) operating at a 0.51 load factor for 8 hours per day

1 Pumps (53 hp) operating at a 0.74 load factor for 8 hours per day

1 Tractors/Loaders/Backhoes (108 hp) operating at a 0.55 load factor for 7 hours per day

1 Water Trucks (189 hp) operating at a 0.5 load factor for 8 hours per day

Phase: Mass Grading 1/7/2013 - 1/18/2013 - Earthen trapezoidal channel

Total Acres Disturbed: 1

Page: 5

7/20/2011 9:20:44 AM

Maximum Daily Acreage Disturbed: 0.75

Fugitive Dust Level of Detail: Default

20 lbs per acre-day

On Road Truck Travel (VMT): 200

Off-Road Equipment:

1 Excavators (168 hp) operating at a 0.57 load factor for 8 hours per day

4 Off Highway Trucks (479 hp) operating at a 0.57 load factor for 8 hours per day

1 Tractors/Loaders/Backhoes (108 hp) operating at a 0.55 load factor for 8 hours per day

Phase: Mass Grading 1/21/2013 - 2/15/2013 - Backfill

Total Acres Disturbed: 2

Maximum Daily Acreage Disturbed: 0.75

Fugitive Dust Level of Detail: Default

20 lbs per acre-day

On Road Truck Travel (VMT): 100

Off-Road Equipment:

1 Excavators (168 hp) operating at a 0.57 load factor for 8 hours per day

1 Graders (174 hp) operating at a 0.61 load factor for 6 hours per day

3 Off Highway Trucks (479 hp) operating at a 0.57 load factor for 8 hours per day

2 Tractors/Loaders/Backhoes (108 hp) operating at a 0.55 load factor for 7 hours per day

1 Water Trucks (189 hp) operating at a 0.5 load factor for 8 hours per day

Phase: Paving 9/1/2012 - 10/12/2012 - Rectangular concrete channel construction

Acres to be Paved: 1

Off-Road Equipment:

1 Other General Industrial Equipment (238 hp) operating at a 0.51 load factor for 8 hours per day

1 Tractors/Loaders/Backhoes (108 hp) operating at a 0.55 load factor for 7 hours per day

1 Water Trucks (189 hp) operating at a 0.5 load factor for 8 hours per day

Phase: Paving 2/18/2013 - 3/6/2013 - Paving

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Acres to be Paved: 0.75

Off-Road Equipment:

- 1 Concrete/Industrial Saws (10 hp) operating at a 0.73 load factor for 8 hours per day
- 1 Off Highway Trucks (479 hp) operating at a 0.57 load factor for 8 hours per day
- 1 Pavers (100 hp) operating at a 0.62 load factor for 7 hours per day
- 1 Rollers (95 hp) operating at a 0.56 load factor for 7 hours per day
- 2 Tractors/Loaders/Backhoes (108 hp) operating at a 0.55 load factor for 7 hours per day
- 1 Water Trucks (189 hp) operating at a 0.5 load factor for 8 hours per day

Construction Mitigated Detail Report:

CONSTRUCTION EMISSION ESTIMATES Annual Tons Per Year, Mitigated

Construction Related Mitigation Measures

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Urbemis 2007 Version 9.2.4

Combined Summer Emissions Reports (Pounds/Day)

File Name: C:\WINNT\Profiles\trheine\Application Data\Urbemis\Version9a\Projects\ADT allocate volumes Jul 14.urb924

Project Name: Arroyo del Toro channel project

Project Location: Riverside County

On-Road Vehicle Emissions Based on: Version : Emfac2007 V2.3 Nov 1 2006

Off-Road Vehicle Emissions Based on: OFFROAD2007

Summary Report:

CONSTRUCTION EMISSION ESTIMATES

	ROG	NOx	CO	SO2	PM10 Dust	PM10 Exhaust	PM10	PM2.5 Dust	PM2.5 Exhaust	PM2.5	CO2
2012 TOTALS (lbs/day unmitigated)	5.82	50.74	23.13	0.01	15.01	2.09	16.12	3.14	1.92	4.15	6,744.19
2013 TOTALS (lbs/day unmitigated)	8.91	73.89	32.85	0.01	30.05	3.18	33.23	6.28	2.92	9.21	10,919.82

Construction Unmitigated Detail Report:

CONSTRUCTION EMISSION ESTIMATES Summer Pounds Per Day, Unmitigated

ROG	NOx	CO	SO2	PM10 Dust	PM10 Exhaust	PM10	PM2.5 Dust	PM2.5 Exhaust	PM2.5	CO2
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Time Slice 7/2/2012-8/31/2012 Active Days: 45	5.82	50.74	23.13	0.01	10.05	2.09	12.14	2.10	1.92	4.03	6,744.19
Mass Grading 07/02/2012- 08/31/2012	5.82	50.74	23.13	0.01	10.05	2.09	12.14	2.10	1.92	4.03	6,744.19
Mass Grading Dust	0.00	0.00	0.00	0.00	10.00	0.00	10.00	2.09	0.00	2.09	0.00
Mass Grading Off Road Diesel	5.30	44.27	19.48	0.00	0.00	1.85	1.85	0.00	1.70	1.70	5,427.41
Mass Grading On Road Diesel	0.48	6.39	2.31	0.01	0.04	0.24	0.28	0.01	0.22	0.23	1,130.24
Mass Grading Worker Trips	0.04	0.08	1.34	0.00	0.01	0.01	0.01	0.00	0.00	0.01	186.54
Time Slice 9/3/2012-10/12/2012 Active Days: 30	1.59	13.28	5.52	0.00	0.01	0.59	0.60	0.00	0.55	0.55	1,589.23
Asphalt 09/01/2012-10/12/2012	1.59	13.28	5.52	0.00	0.01	0.59	0.60	0.00	0.55	0.55	1,589.23
Paving Off-Gas	0.08	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Paving Off Road Diesel	1.46	12.96	4.75	0.00	0.00	0.58	0.58	0.00	0.53	0.53	1,446.88
Paving On Road Diesel	0.02	0.28	0.10	0.00	0.00	0.01	0.01	0.00	0.01	0.01	49.08
Paving Worker Trips	0.02	0.04	0.67	0.00	0.00	0.00	0.01	0.00	0.00	0.00	93.27
Time Slice 10/15/2012-12/31/2012 Active Days: 56	2.67	23.14	10.35	0.00	15.01	1.11	16.12	3.14	1.02	4.15	2,771.65
Mass Grading 10/15/2012- 01/07/2013	2.67	23.14	10.35	0.00	15.01	1.11	16.12	3.14	1.02	4.15	2,771.65
Mass Grading Dust	0.00	0.00	0.00	0.00	15.00	0.00	15.00	3.13	0.00	3.13	0.00
Mass Grading Off Road Diesel	2.58	22.29	8.95	0.00	0.00	1.07	1.07	0.00	0.99	0.99	2,477.23
Mass Grading On Road Diesel	0.06	0.79	0.28	0.00	0.00	0.03	0.03	0.00	0.03	0.03	138.96
Mass Grading Worker Trips	0.03	0.06	1.12	0.00	0.01	0.00	0.01	0.00	0.00	0.01	155.45

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Time Slice 1/1/2013-1/4/2013 Active Days: 4	2.51	21.38	9.97	0.00	15.01	0.99	16.00	3.14	0.91	4.04	2,771.64
Mass Grading 10/15/2012-01/07/2013	2.51	21.38	9.97	0.00	15.01	0.99	16.00	3.14	0.91	4.04	2,771.64
Mass Grading Dust	0.00	0.00	0.00	0.00	15.00	0.00	15.00	3.13	0.00	3.13	0.00
Mass Grading Off Road Diesel	2.43	20.63	8.68	0.00	0.00	0.95	0.95	0.00	0.88	0.88	2,477.23
Mass Grading On Road Diesel	0.05	0.69	0.25	0.00	0.00	0.03	0.03	0.00	0.02	0.02	138.96
Mass Grading Worker Trips	0.03	0.06	1.03	0.00	0.01	0.01	0.01	0.00	0.00	0.01	155.44
Time Slice 1/7/2013-1/7/2013 Active Days: 1	<u>8.91</u>	<u>73.89</u>	<u>32.85</u>	<u>0.01</u>	<u>30.05</u>	<u>3.18</u>	<u>33.23</u>	<u>5.28</u>	<u>2.92</u>	<u>9.21</u>	<u>10,919.82</u>
Mass Grading 01/07/2013-01/18/2013	6.40	52.51	22.88	0.01	15.04	2.19	17.23	3.15	2.02	5.16	8,148.18
Mass Grading Dust	0.00	0.00	0.00	0.00	15.00	0.00	15.00	3.13	0.00	3.13	0.00
Mass Grading Off Road Diesel	6.03	48.23	20.11	0.00	0.00	2.03	2.03	0.00	1.87	1.87	7,113.97
Mass Grading On Road Diesel	0.33	4.21	1.53	0.01	0.03	0.15	0.18	0.01	0.14	0.15	847.68
Mass Grading Worker Trips	0.04	0.07	1.24	0.00	0.01	0.01	0.01	0.00	0.01	0.01	186.53
Mass Grading 10/15/2012-01/07/2013	2.51	21.38	9.97	0.00	15.01	0.99	16.00	3.14	0.91	4.04	2,771.64
Mass Grading Dust	0.00	0.00	0.00	0.00	15.00	0.00	15.00	3.13	0.00	3.13	0.00
Mass Grading Off Road Diesel	2.43	20.63	8.68	0.00	0.00	0.95	0.95	0.00	0.88	0.88	2,477.23
Mass Grading On Road Diesel	0.05	0.69	0.25	0.00	0.00	0.03	0.03	0.00	0.02	0.02	138.96
Mass Grading Worker Trips	0.03	0.06	1.03	0.00	0.01	0.01	0.01	0.00	0.00	0.01	155.44

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Time Slice 1/8/2013-1/18/2013 Active Days: 9	6.40	52.51	22.88	0.01	15.04	2.19	17.23	3.15	2.02	5.16	8,148.18
Mass Grading 01/07/2013-01/18/2013	6.40	52.51	22.88	0.01	15.04	2.19	17.23	3.15	2.02	5.16	8,148.18
Mass Grading Dust	0.00	0.00	0.00	0.00	15.00	0.00	15.00	3.13	0.00	3.13	0.00
Mass Grading Off Road Diesel	6.03	48.23	20.11	0.00	0.00	2.03	2.03	0.00	1.87	1.87	7,113.97
Mass Grading On Road Diesel	0.33	4.21	1.53	0.01	0.03	0.15	0.18	0.01	0.14	0.15	847.68
Mass Grading Worker Trips	0.04	0.07	1.24	0.00	0.01	0.01	0.01	0.00	0.01	0.01	186.53
Time Slice 1/21/2013-2/15/2013 Active Days: 20	6.35	50.75	24.68	0.01	15.03	2.30	17.33	3.14	2.12	5.26	7,498.85
Mass Grading 01/21/2013-02/15/2013	6.35	50.75	24.68	0.01	15.03	2.30	17.33	3.14	2.12	5.26	7,498.85
Mass Grading Dust	0.00	0.00	0.00	0.00	15.00	0.00	15.00	3.13	0.00	3.13	0.00
Mass Grading Off Road Diesel	6.14	48.56	22.27	0.00	0.00	2.21	2.21	0.00	2.04	2.04	6,826.30
Mass Grading On Road Diesel	0.16	2.10	0.77	0.00	0.01	0.08	0.09	0.00	0.07	0.08	423.84
Mass Grading Worker Trips	0.05	0.09	1.65	0.00	0.01	0.01	0.02	0.00	0.01	0.01	248.71
Time Slice 2/18/2013-3/6/2013 Active Days: 13	3.87	27.08	14.89	0.00	0.01	1.57	1.58	0.00	1.44	1.45	3,630.01
Asphalt 02/18/2013-03/06/2013	3.87	27.08	14.89	0.00	0.01	1.57	1.58	0.00	1.44	1.45	3,630.01
Paving Off-Gas	0.15	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Paving Off Road Diesel	3.65	26.57	13.29	0.00	0.00	1.55	1.55	0.00	1.42	1.42	3,324.61
Paving On Road Diesel	0.03	0.44	0.16	0.00	0.00	0.02	0.02	0.00	0.01	0.02	87.78
Paving Worker Trips	0.04	0.08	1.45	0.00	0.01	0.01	0.02	0.00	0.01	0.01	217.62

Phase Assumptions

Phase: Mass Grading 7/2/2012 - 8/31/2012 - Excavation

Total Acres Disturbed: 8

Maximum Daily Acreage Disturbed: 0.5

Fugitive Dust Level of Detail: Default

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20 lbs per acre-day

On Road Truck Travel (VMT): 266.67

Off-Road Equipment:

1 Excavators (168 hp) operating at a 0.57 load factor for 8 hours per day

2 Off Highway Trucks (479 hp) operating at a 0.57 load factor for 8 hours per day

1 Rubber Tired Dozers (357 hp) operating at a 0.59 load factor for 6 hours per day

1 Tractors/Loaders/Backhoes (108 hp) operating at a 0.55 load factor for 7 hours per day

1 Water Trucks (189 hp) operating at a 0.5 load factor for 8 hours per day

Phase: Mass Grading 10/15/2012 - 1/7/2013 - Reinforced concrete box

Total Acres Disturbed: 3

Maximum Daily Acreage Disturbed: 0.75

Fugitive Dust Level of Detail: Default

20 lbs per acre-day

On Road Truck Travel (VMT): 32.79

Off-Road Equipment:

1 Cranes (399 hp) operating at a 0.43 load factor for 8 hours per day

1 Other General Industrial Equipment (238 hp) operating at a 0.51 load factor for 8 hours per day

1 Pumps (53 hp) operating at a 0.74 load factor for 8 hours per day

1 Tractors/Loaders/Backhoes (108 hp) operating at a 0.55 load factor for 7 hours per day

1 Water Trucks (189 hp) operating at a 0.5 load factor for 8 hours per day

Phase: Mass Grading 1/7/2013 - 1/18/2013 - Earthen trapezoidal channel

Total Acres Disturbed: 1

Maximum Daily Acreage Disturbed: 0.75

Fugitive Dust Level of Detail: Default

20 lbs per acre-day

On Road Truck Travel (VMT): 200

Off-Road Equipment:

1 Excavators (168 hp) operating at a 0.57 load factor for 8 hours per day

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- 4 Off Highway Trucks (479 hp) operating at a 0.57 load factor for 8 hours per day
- 1 Tractors/Loaders/Backhoes (108 hp) operating at a 0.55 load factor for 8 hours per day

Phase: Mass Grading 1/21/2013 - 2/15/2013 - Backfill

Total Acres Disturbed: 2

Maximum Daily Acreage Disturbed: 0.75

Fugitive Dust Level of Detail: Default

20 lbs per acre-day

On Road Truck Travel (VMT): 100

Off-Road Equipment:

- 1 Excavators (168 hp) operating at a 0.57 load factor for 8 hours per day
- 1 Graders (174 hp) operating at a 0.61 load factor for 6 hours per day
- 3 Off Highway Trucks (479 hp) operating at a 0.57 load factor for 8 hours per day
- 2 Tractors/Loaders/Backhoes (108 hp) operating at a 0.55 load factor for 7 hours per day
- 1 Water Trucks (189 hp) operating at a 0.5 load factor for 8 hours per day

Phase: Paving 9/1/2012 - 10/12/2012 - Rectangular concrete channel construction

Acres to be Paved: 1

Off-Road Equipment:

- 1 Other General Industrial Equipment (238 hp) operating at a 0.51 load factor for 8 hours per day
- 1 Tractors/Loaders/Backhoes (108 hp) operating at a 0.55 load factor for 7 hours per day
- 1 Water Trucks (189 hp) operating at a 0.5 load factor for 8 hours per day

Phase: Paving 2/18/2013 - 3/6/2013 - Paving

Acres to be Paved: 0.75

Off-Road Equipment:

- 1 Concrete/Industrial Saws (10 hp) operating at a 0.73 load factor for 8 hours per day
- 1 Off Highway Trucks (479 hp) operating at a 0.57 load factor for 8 hours per day
- 1 Pavers (100 hp) operating at a 0.62 load factor for 7 hours per day
- 1 Rollers (95 hp) operating at a 0.56 load factor for 7 hours per day

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2 Tractors/Loaders/Backhoes (108 hp) operating at a 0.55 load factor for 7 hours per day
1 Water Trucks (189 hp) operating at a 0.5 load factor for 8 hours per day

Construction Mitigated Detail Report:

CONSTRUCTION EMISSION ESTIMATES Summer Pounds Per Day, Mitigated

Construction Related Mitigation Measures

Combined Winter Emissions Reports (Pounds/Day)

File Name: C:\WINNT\Profiles\trheine\Application Data\Urbemis\Version9a\Projects\ADT allocate volumes Jul 14.urb924

Project Name: Arroyo del Toro channel project

Project Location: Riverside County

On-Road Vehicle Emissions Based on: Version : Emfac2007 V2.3 Nov 1 2006

Off-Road Vehicle Emissions Based on: OFFROAD2007

Summary Report:

CONSTRUCTION EMISSION ESTIMATES

	<u>ROG</u>	<u>NOx</u>	<u>CO</u>	<u>SO2</u>	<u>PM10 Dust</u>	<u>PM10 Exhaust</u>	<u>PM10</u>	<u>PM2.5 Dust</u>	<u>PM2.5 Exhaust</u>	<u>PM2.5</u>	<u>CO2</u>
2012 TOTALS (lbs/day unmitigated)	5.82	50.74	23.13	0.01	15.01	2.09	16.12	3.14	1.92	4.15	6,744.19
2013 TOTALS (lbs/day unmitigated)	8.91	73.89	32.85	0.01	30.05	3.18	33.23	6.28	2.92	9.21	10,919.82

Construction Unmitigated Detail Report:

CONSTRUCTION EMISSION ESTIMATES Winter Pounds Per Day, Unmitigated

<u>ROG</u>	<u>NOx</u>	<u>CO</u>	<u>SO2</u>	<u>PM10 Dust</u>	<u>PM10 Exhaust</u>	<u>PM10</u>	<u>PM2.5 Dust</u>	<u>PM2.5 Exhaust</u>	<u>PM2.5</u>	<u>CO2</u>
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Time Slice 7/2/2012-8/31/2012 Active Days: 45	5.82	50.74	23.13	0.01	10.05	2.09	12.14	2.10	1.92	4.03	6,744.19
Mass Grading 07/02/2012- 08/31/2012	5.82	50.74	23.13	0.01	10.05	2.09	12.14	2.10	1.92	4.03	6,744.19
Mass Grading Dust	0.00	0.00	0.00	0.00	10.00	0.00	10.00	2.09	0.00	2.09	0.00
Mass Grading Off Road Diesel	5.30	44.27	19.48	0.00	0.00	1.85	1.85	0.00	1.70	1.70	5,427.41
Mass Grading On Road Diesel	0.48	6.39	2.31	0.01	0.04	0.24	0.28	0.01	0.22	0.23	1,130.24
Mass Grading Worker Trips	0.04	0.08	1.34	0.00	0.01	0.01	0.01	0.00	0.00	0.01	186.54
Time Slice 9/3/2012-10/12/2012 Active Days: 30	1.59	13.28	5.52	0.00	0.01	0.59	0.60	0.00	0.55	0.55	1,589.23
Asphalt 09/01/2012-10/12/2012	1.59	13.28	5.52	0.00	0.01	0.59	0.60	0.00	0.55	0.55	1,589.23
Paving Off-Gas	0.08	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Paving Off Road Diesel	1.46	12.96	4.75	0.00	0.00	0.58	0.58	0.00	0.53	0.53	1,446.88
Paving On Road Diesel	0.02	0.28	0.10	0.00	0.00	0.01	0.01	0.00	0.01	0.01	49.08
Paving Worker Trips	0.02	0.04	0.67	0.00	0.00	0.00	0.01	0.00	0.00	0.00	93.27
Time Slice 10/15/2012-12/31/2012 Active Days: 56	2.67	23.14	10.35	0.00	15.01	1.11	16.12	3.14	1.02	4.15	2,771.65
Mass Grading 10/15/2012- 01/07/2013	2.67	23.14	10.35	0.00	15.01	1.11	16.12	3.14	1.02	4.15	2,771.65
Mass Grading Dust	0.00	0.00	0.00	0.00	15.00	0.00	15.00	3.13	0.00	3.13	0.00
Mass Grading Off Road Diesel	2.58	22.29	8.95	0.00	0.00	1.07	1.07	0.00	0.99	0.99	2,477.23
Mass Grading On Road Diesel	0.06	0.79	0.28	0.00	0.00	0.03	0.03	0.00	0.03	0.03	138.96
Mass Grading Worker Trips	0.03	0.06	1.12	0.00	0.01	0.00	0.01	0.00	0.00	0.01	155.45

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Time Slice 1/1/2013-1/4/2013 Active Days: 4	2.51	21.38	9.97	0.00	15.01	0.99	16.00	3.14	0.91	4.04	2,771.64
Mass Grading 10/15/2012-01/07/2013	2.51	21.38	9.97	0.00	15.01	0.99	16.00	3.14	0.91	4.04	2,771.64
Mass Grading Dust	0.00	0.00	0.00	0.00	15.00	0.00	15.00	3.13	0.00	3.13	0.00
Mass Grading Off Road Diesel	2.43	20.63	8.68	0.00	0.00	0.95	0.95	0.00	0.88	0.88	2,477.23
Mass Grading On Road Diesel	0.05	0.69	0.25	0.00	0.00	0.03	0.03	0.00	0.02	0.02	138.96
Mass Grading Worker Trips	0.03	0.06	1.03	0.00	0.01	0.01	0.01	0.00	0.00	0.01	155.44
Time Slice 1/7/2013-1/7/2013 Active Days: 1	<u>8.91</u>	<u>73.89</u>	<u>32.85</u>	<u>0.01</u>	<u>30.05</u>	<u>3.18</u>	<u>33.23</u>	<u>5.28</u>	<u>2.92</u>	<u>9.21</u>	<u>10,919.82</u>
Mass Grading 01/07/2013-01/18/2013	6.40	52.51	22.88	0.01	15.04	2.19	17.23	3.15	2.02	5.16	8,148.18
Mass Grading Dust	0.00	0.00	0.00	0.00	15.00	0.00	15.00	3.13	0.00	3.13	0.00
Mass Grading Off Road Diesel	6.03	48.23	20.11	0.00	0.00	2.03	2.03	0.00	1.87	1.87	7,113.97
Mass Grading On Road Diesel	0.33	4.21	1.53	0.01	0.03	0.15	0.18	0.01	0.14	0.15	847.68
Mass Grading Worker Trips	0.04	0.07	1.24	0.00	0.01	0.01	0.01	0.00	0.01	0.01	186.53
Mass Grading 10/15/2012-01/07/2013	2.51	21.38	9.97	0.00	15.01	0.99	16.00	3.14	0.91	4.04	2,771.64
Mass Grading Dust	0.00	0.00	0.00	0.00	15.00	0.00	15.00	3.13	0.00	3.13	0.00
Mass Grading Off Road Diesel	2.43	20.63	8.68	0.00	0.00	0.95	0.95	0.00	0.88	0.88	2,477.23
Mass Grading On Road Diesel	0.05	0.69	0.25	0.00	0.00	0.03	0.03	0.00	0.02	0.02	138.96
Mass Grading Worker Trips	0.03	0.06	1.03	0.00	0.01	0.01	0.01	0.00	0.00	0.01	155.44

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Time Slice 1/8/2013-1/18/2013 Active Days: 9	6.40	52.51	22.88	0.01	15.04	2.19	17.23	3.15	2.02	5.16	8,148.18
Mass Grading 01/07/2013- 01/18/2013	6.40	52.51	22.88	0.01	15.04	2.19	17.23	3.15	2.02	5.16	8,148.18
Mass Grading Dust	0.00	0.00	0.00	0.00	15.00	0.00	15.00	3.13	0.00	3.13	0.00
Mass Grading Off Road Diesel	6.03	48.23	20.11	0.00	0.00	2.03	2.03	0.00	1.87	1.87	7,113.97
Mass Grading On Road Diesel	0.33	4.21	1.53	0.01	0.03	0.15	0.18	0.01	0.14	0.15	847.68
Mass Grading Worker Trips	0.04	0.07	1.24	0.00	0.01	0.01	0.01	0.00	0.01	0.01	186.53
Time Slice 1/21/2013-2/15/2013 Active Days: 20	6.35	50.75	24.68	0.01	15.03	2.30	17.33	3.14	2.12	5.26	7,498.85
Mass Grading 01/21/2013- 02/15/2013	6.35	50.75	24.68	0.01	15.03	2.30	17.33	3.14	2.12	5.26	7,498.85
Mass Grading Dust	0.00	0.00	0.00	0.00	15.00	0.00	15.00	3.13	0.00	3.13	0.00
Mass Grading Off Road Diesel	6.14	48.56	22.27	0.00	0.00	2.21	2.21	0.00	2.04	2.04	6,826.30
Mass Grading On Road Diesel	0.16	2.10	0.77	0.00	0.01	0.08	0.09	0.00	0.07	0.08	423.84
Mass Grading Worker Trips	0.05	0.09	1.65	0.00	0.01	0.01	0.02	0.00	0.01	0.01	248.71
Time Slice 2/18/2013-3/6/2013 Active Days: 13	3.87	27.08	14.89	0.00	0.01	1.57	1.58	0.00	1.44	1.45	3,630.01
Asphalt 02/18/2013-03/06/2013	3.87	27.08	14.89	0.00	0.01	1.57	1.58	0.00	1.44	1.45	3,630.01
Paving Off-Gas	0.15	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Paving Off Road Diesel	3.65	26.57	13.29	0.00	0.00	1.55	1.55	0.00	1.42	1.42	3,324.61
Paving On Road Diesel	0.03	0.44	0.16	0.00	0.00	0.02	0.02	0.00	0.01	0.02	87.78
Paving Worker Trips	0.04	0.08	1.45	0.00	0.01	0.01	0.02	0.00	0.01	0.01	217.62

Phase Assumptions

Phase: Mass Grading 7/2/2012 - 8/31/2012 - Excavation

Total Acres Disturbed: 8

Maximum Daily Acreage Disturbed: 0.5

Fugitive Dust Level of Detail: Default

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20 lbs per acre-day

On Road Truck Travel (VMT): 266.67

Off-Road Equipment:

1 Excavators (168 hp) operating at a 0.57 load factor for 8 hours per day

2 Off Highway Trucks (479 hp) operating at a 0.57 load factor for 8 hours per day

1 Rubber Tired Dozers (357 hp) operating at a 0.59 load factor for 6 hours per day

1 Tractors/Loaders/Backhoes (108 hp) operating at a 0.55 load factor for 7 hours per day

1 Water Trucks (189 hp) operating at a 0.5 load factor for 8 hours per day

Phase: Mass Grading 10/15/2012 - 1/7/2013 - Reinforced concrete box

Total Acres Disturbed: 3

Maximum Daily Acreage Disturbed: 0.75

Fugitive Dust Level of Detail: Default

20 lbs per acre-day

On Road Truck Travel (VMT): 32.79

Off-Road Equipment:

1 Cranes (399 hp) operating at a 0.43 load factor for 8 hours per day

1 Other General Industrial Equipment (238 hp) operating at a 0.51 load factor for 8 hours per day

1 Pumps (53 hp) operating at a 0.74 load factor for 8 hours per day

1 Tractors/Loaders/Backhoes (108 hp) operating at a 0.55 load factor for 7 hours per day

1 Water Trucks (189 hp) operating at a 0.5 load factor for 8 hours per day

Phase: Mass Grading 1/7/2013 - 1/18/2013 - Earthen trapezoidal channel

Total Acres Disturbed: 1

Maximum Daily Acreage Disturbed: 0.75

Fugitive Dust Level of Detail: Default

20 lbs per acre-day

On Road Truck Travel (VMT): 200

Off-Road Equipment:

1 Excavators (168 hp) operating at a 0.57 load factor for 8 hours per day

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- 4 Off Highway Trucks (479 hp) operating at a 0.57 load factor for 8 hours per day
- 1 Tractors/Loaders/Backhoes (108 hp) operating at a 0.55 load factor for 8 hours per day

Phase: Mass Grading 1/21/2013 - 2/15/2013 - Backfill

Total Acres Disturbed: 2

Maximum Daily Acreage Disturbed: 0.75

Fugitive Dust Level of Detail: Default

20 lbs per acre-day

On Road Truck Travel (VMT): 100

Off-Road Equipment:

- 1 Excavators (168 hp) operating at a 0.57 load factor for 8 hours per day
- 1 Graders (174 hp) operating at a 0.61 load factor for 6 hours per day
- 3 Off Highway Trucks (479 hp) operating at a 0.57 load factor for 8 hours per day
- 2 Tractors/Loaders/Backhoes (108 hp) operating at a 0.55 load factor for 7 hours per day
- 1 Water Trucks (189 hp) operating at a 0.5 load factor for 8 hours per day

Phase: Paving 9/1/2012 - 10/12/2012 - Rectangular concrete channel construction

Acres to be Paved: 1

Off-Road Equipment:

- 1 Other General Industrial Equipment (238 hp) operating at a 0.51 load factor for 8 hours per day
- 1 Tractors/Loaders/Backhoes (108 hp) operating at a 0.55 load factor for 7 hours per day
- 1 Water Trucks (189 hp) operating at a 0.5 load factor for 8 hours per day

Phase: Paving 2/18/2013 - 3/6/2013 - Paving

Acres to be Paved: 0.75

Off-Road Equipment:

- 1 Concrete/Industrial Saws (10 hp) operating at a 0.73 load factor for 8 hours per day
- 1 Off Highway Trucks (479 hp) operating at a 0.57 load factor for 8 hours per day
- 1 Pavers (100 hp) operating at a 0.62 load factor for 7 hours per day
- 1 Rollers (95 hp) operating at a 0.56 load factor for 7 hours per day

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2 Tractors/Loaders/Backhoes (108 hp) operating at a 0.55 load factor for 7 hours per day
1 Water Trucks (189 hp) operating at a 0.5 load factor for 8 hours per day

Construction Mitigated Detail Report:

CONSTRUCTION EMISSION ESTIMATES Winter Pounds Per Day, Mitigated

Construction Related Mitigation Measures