

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

808B



FROM: General Manager-Chief Engineer

SUBMITTAL DATE:
September 24, 2013

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

RECOMMENDED MOTION:

1. Consider the City of Norco's Addendum and adopted Mitigated Negative Declaration; and
2. Adopt Resolution No. F2013-21 which a) finds that no new environmental documentation is required because the Project is within the scope of the City of Norco's Mitigated Negative Declaration and Addendum, and taken together, the environmental effects of the project have been adequately addressed, and b) authorizes the District to proceed with the Project's construction; and
3. Direct the Clerk of the Board to deliver the Notice of Determination to the office of the County Clerk for filing within five (5) working days of this Board hearing.

BACKGROUND:

See Page 2.

FINANCIAL:

N/A

WARREN D. WILLIAMS
General Manager-Chief Engineer

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

SOURCE OF FUNDS: N/A

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

C.E.O. RECOMMENDATION:

APPROVE

BY:
Steven C. Horn, MPA

County Executive Office Signature

MINUTES OF THE FLOOD CONTROL AND WATER CONSERVATION DISTRICT

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

Ayes: Jeffries, Tavaglione, Stone, Benoit and Ashley
Nays: None
Absent: None
Date: September 24, 2013
xc: Flood Recorder

Kecia Harper-Ihem
Clerk of the Board
By:
Deputy

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

11-6

FORM APPROVED COUNTY COUNSEL
BY:
MICHELLE CLACK
DATE: 9/19/13

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

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

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

SUBMITTAL DATE: September 24, 2013

Page 2

BACKGROUND:

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

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

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

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

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

BOARD OF SUPERVISORS

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

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

WHEREAS, on July 30, 2013, the Board adopted Resolution No. F2013-20 pursuant to Section 18 of the District Act giving notice of its intention to construct a project in Zone 2, within the city of Norco, designated as North Norco Channel, Stage 10 Project ("Project") and giving further notice that the Project would be considered at a public hearing on September 24, 2013; and

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

WHEREAS, on July 16, 2008, the City of Norco, acting as lead agency under the California Environmental Quality Act (hereinafter referred to as "CEQA") adopted a Mitigated Negative Declaration for Site Plan 2008-02, Conditional Use Permits 2008-02 and 2008-03 and Tentative Parcel Map 24525 (hereinafter referred to as "MND"); and

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

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

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

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

FORM APPROVED COUNTY COUNSEL
BY MICHELLE CLACK
DATE 9/19/13

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

WHEREAS, the District will construct the Project; and

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

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

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

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

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

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

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

BE IT FURTHER RESOLVED that, within 5 working days of this Board hearing, the Clerk of the Board is directed to deliver the Notice of Determination to the Office of the County Clerk and Recorder, who are thereby directed to file same, all as required by law.

ROLL CALL:

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

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

From: Riverside County Flood Control
1995 Market Street
Riverside, CA 92501
Contact: Mike Wong

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

9/26/13 VB
Date Initial

Lead Agency (if different from above):

City of Norco
2870 Clark Avenue
Norco, CA 92860
Contact: Lori Askew

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): N/A

Project Title:

North Norco Channel, Stage 10 Project

Project Location (include county)

The proposed project is generally located on the southeast corner of River Road and Second Street in the city of Norco, Riverside County, California. The proposed project area may be found within Township 3 South, Range 7 West, Section 14 of the Corona North 7.5 Series USGS Topographic Quadrangle map.

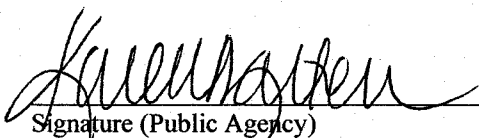
Project Description

The proposed project entails the construction and subsequent maintenance of a storm drain system within District rights-of-way. The proposed project was analyzed in a 2010 Addendum to a 2008 Mitigated Negative Declaration prepared by the City of Norco for Site Plan 2008-02, Conditional Use Permits 2008-02 and 2008-03 and Tentative Parcel Map 24525 (MND). The project differs slightly from the storm drain improvements analyzed in the Addendum in that the project will consist of approximately 550 lineal feet of reinforced concrete box and approximately 125 lineal feet of concrete lined channel instead of the 285 feet of reinforced concrete box and 391 lineal feet of concrete lined channel described in the Addendum.

This is to advise that the Riverside County Flood Control and Water Conservation District as a Responsible Agency approved the above project on September 24, 2013 and has made the following determinations regarding the above described project:

1. The Project is within the scope of the City of Norco's adopted Mitigated Negative Declaration (MND) and Addendum, and taken together, the environmental effects of the Project have been adequately addressed in the adopted MND and Addendum.
2. The Project's minor technical changes will not result in substantial changes or new significant impacts and none of the conditions described in Section 15162 of the CEQA Guidelines calling for the preparation of a subsequent MND have occurred.
3. Therefore, no further documentation is required because all potentially significant effects were adequately analyzed in the City of Norco's MND and Addendum adopted on July 16, 2008 and January 25, 2011, respectively.

This is to certify that the Addendum, Mitigated Negative Declaration, supporting documentation, and record of project approval are available to the General Public at: The Office of the Clerk to the Board, County Administrative Center, 4080 Lemon Street, Riverside, CA 92501.


Signature (Public Agency)

Board Assistant
Title

9/24/13
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

SEP 24 2013 11:00

RIVERSIDE COUNTY CLERK-RECORDER

AUTHORIZATION TO BILL

TO BE FILLED OUT BY SUBMITTING AGENCY

DATE: 7/16/2013 BUSINESS UNIT/AGENCY: FLOOD CONTROL - FCARC

ACCOUNTING STRING:

ACCOUNT: 526410 FUND: 25120
DEPT ID: 947420 PROGRAM: _____

AMOUNT: \$50.00

REF: FINAL CEQA POSTING FOR N. NORCO CHANNEL, STG 10 222-2-8-00140-10-30

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

NUMBER OF DOCUMENTS INCLUDED: 6

AUTHORIZED BY: DARRYLENN PRUDHOLME-BROCKINGTON 

PRESENTED BY: JASON SWENSON EXT 58082

CONTACT: DARRYLENN PRUDHOLME-BROCKINGTON

TO BE FILLED OUT BY COUNTY CLERK

ACCEPTED BY: _____

DATE: _____

DOCUMENT NO(S)/INVOICE NO(S): _____

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

308 B



FROM: General Manager-Chief Engineer

SUBMITTAL DATE:
July 30, 2013

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

RECOMMENDED MOTION:

1. Adopt Resolution No. F2013-20 which sets September 24, 2013 as the date for a Public Hearing concerning the construction of the above referenced project in accordance with Section 18 of the District Act; and
2. Direct the Clerk of the Board to advertise and post said notice of public hearing in accordance with Section 18 of the District Act.

BACKGROUND:

See Page 2.

FINANCIAL:

N/A

Stu Thomas
 FOR **WARREN D. WILLIAMS**
 General Manager-Chief Engineer

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

SOURCE OF FUNDS: N/A

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

C.E.O. RECOMMENDATION:

APPROVE

BY: *Steven C. Horn*
 Steven C. Horn, MPA

County Executive Office Signature

MINUTES OF THE FLOOD CONTROL AND WATER CONSERVATION DISTRICT

On motion of Supervisor Benoit, seconded by Supervisor Tavaglione and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended and is set for public hearing September 24, 2013 at 10:30 a.m.

Ayes: Jeffries, Tavaglione, Stone, Benoit and Ashley
 Nays: None
 Absent: None
 Date: July 30, 2013
 xc: Flood, COB

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

FORM APPROVED COUNTY COUNSEL
 BY: *[Signature]* 7/15/13
 DATE
 MICHELLE CLACK

Policy Policy
 Consent Consent
 Dept't Recomm.:
 Per Exec. Ofc.:

Prev. Agn. Ref.

District: 2nd/2nd

Agenda Number:

1 1 1

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

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

SUBMITTAL DATE: July 30, 2013
Page 2

BACKGROUND:

Section 18 of the District's Enabling Act requires the Board to hold a Public Hearing for the purpose of considering all comments regarding any proposed facilities before authorizing the construction of such facilities.

The proposed Project consists of the installation and subsequent maintenance of approximately 550 lineal feet of reinforced concrete box and 125 lineal feet of concrete lined channel. The District, as a California Environmental Quality Act (CEQA) responsible agency, will be constructing the Project.

Pursuant to CEQA, the City of Norco (City), acting as lead agency, adopted a Mitigated Negative Declaration (MND) and a subsequent Addendum to the MND to address the North Norco Flood Control Improvements associated with this Project. The District is responsible for considering the Addendum with the MND determined to be adequate by the City.

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2 BOARD OF SUPERVISORS

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

3 **RESOLUTION NO. F2013-20**
4 **SETTING A PUBLIC HEARING DATE FOR**
5 **NORTH NORCO CHANNEL, STAGE 10 PROJECT THEREFOR**
6 **IN ACCORDANCE WITH SECTION 18 OF THE DISTRICT ACT**

7 WHEREAS, this Board intends to undertake a project within the city of Norco, Riverside
8 County, designated as North Norco Channel, Stage 10 Project ("Proposed Project"); and

9 WHEREAS, the Proposed Project is generally located southeasterly of the intersection of
10 Second Street and River Road; and

11 WHEREAS, the Proposed Project consists of the installation and subsequent maintenance
12 of approximately 550 lineal feet of reinforced concrete box and 125 lineal feet of concrete lined
13 channel; and

14 WHEREAS, reference is made to the engineering cost estimate for the Proposed Project,
15 entitled "Engineer's Statement" on file with the Clerk of the Board; and

16 WHEREAS, reference is made to a map dated July 2013, bearing the name and showing
17 the general location and typical section of the Proposed Project which is also on file with the
18 Clerk of the Board; and

19 WHEREAS, any person wishing to comment on the Proposed Project may do so in
20 writing between the date of this notice and the public hearing, or may appear and be heard at the
21 time and place noted below; and

22 WHEREAS, in a subsequent legal challenge any person may be limited to raising only
23 those issues he, she or someone else raised at the public hearing described in this notice, or in
24 written comments delivered before or at the public hearing; and

25 WHEREAS, prior to making a decision on the Proposed Project, this Board will consider
26 all written and oral comments; and

FORM APPROVED COUNTY COUNSEL
BY: *Michelle Clack* DATE: 7/15/13
MICHELLE CLACK

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WHEREAS, the above-listed documents can be inspected at the District office, 1995 Market Street, Riverside, California 92501 and written comments will be received at the above address.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by the Board of Supervisors of the Riverside County Flood Control and Water Conservation District in regular session assembled on July 30, 2013 that:

1. A public hearing concerning the intent to approve the Proposed Project will be held at 10:30 a.m. on September 24, 2013, at the meeting room of this Board, 1st Floor, County Administrative Center, 4080 Lemon Street, Riverside, California 92502, at which time all public comment shall be heard.

2. A copy of this resolution and copies of the above listed documents shall be posted at least thirty (30) days before said hearing at City of Norco City Hall, 2870 Clark Avenue, Norco, California 92860.

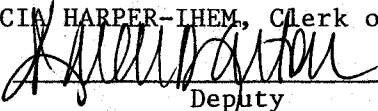
3. A copy of this resolution shall be posted at least thirty (30) days before said hearing at the Riverside County Clerk and Recorder's Office, 2724 Gateway Drive, Riverside, California 92507.

4. The Clerk of this Board is directed to cause a copy of this resolution to be published twice, once at least thirty (30) days before said hearing, and once seven (7) days following the initial publication in a newspaper of general circulation in accordance with Section 18 of the District Act.

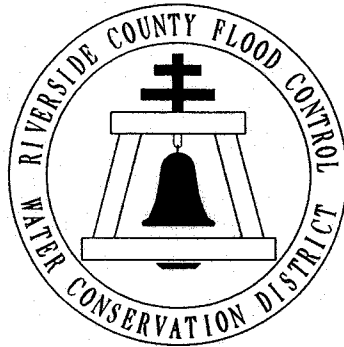
ROLL CALL:

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

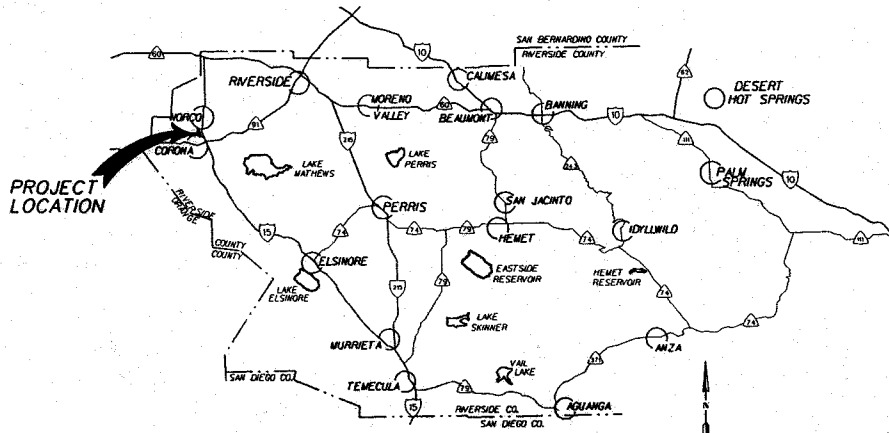
The foregoing is certified to be a true copy of a resolution duly adopted by said Board of Supervisors on the date therein set forth.

KECIA HARPER-IHEM, Clerk of said Board
By  Deputy

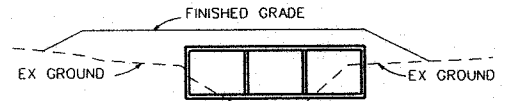
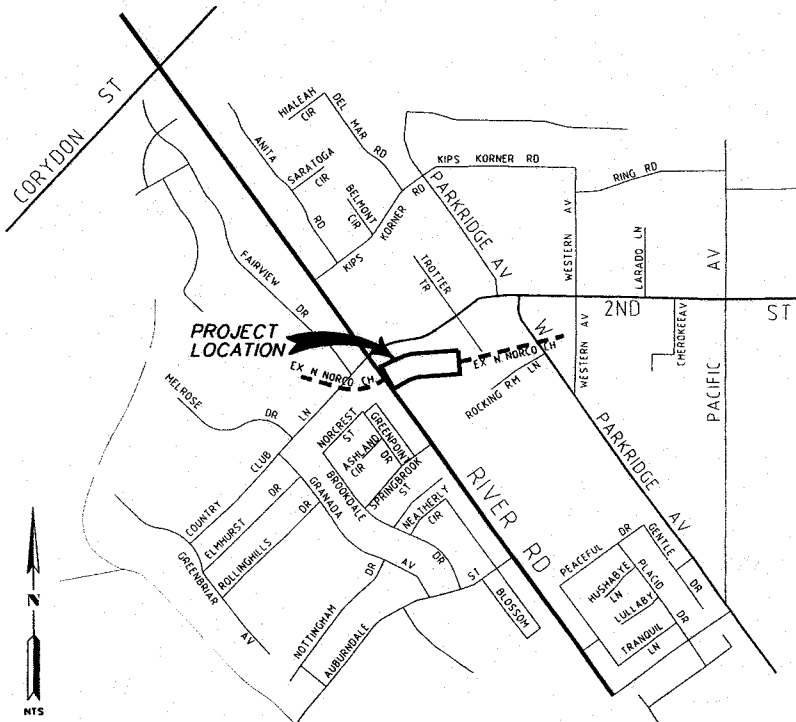
SECTION 18
PUBLIC HEARING
MAP



NORTH NORCO CHANNEL
STAGE 10
PROJECT NO. 2-0-00140
JULY 2013



VICINITY MAP
NTS



TYP. RCB SECTION



TYP. CHANNEL SECTION



OFFICE OF
CLERK OF THE BOARD OF SUPERVISORS
1st FLOOR, COUNTY ADMINISTRATIVE CENTER
P.O. BOX 1147, 4080 LEMON STREET
RIVERSIDE, CA 92502-1147
PHONE: (951) 955-1060
FAX: (951) 955-1071

KECIA HARPER-IHEM
Clerk of the Board of Supervisors

KIMBERLY A. RECTOR
Assistant Clerk of the Board

August 20, 2013

RIVERSIDE COUNTY RECORD
ATTN: LEGALS
P.O. Box 3187
RIVERSIDE, CA 92519

FAX (951) 685-2951
E-MAIL: recordsmde@aol.com

RE: NOTICE OF PUBLIC HEARING: RESOLUTION NO. F2013-20 NORTH NORCO CHANNEL

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **TWO (2) TIMES** on **TWO THURSDAYS: August 22 and 29, 2013.**

We require your affidavit of publication immediately upon completion of the last publication.

Your invoice must be submitted to this office in duplicate, WITH TWO CLIPPINGS OF THE PUBLICATION.

NOTE: PLEASE COMPOSE THIS PUBLICATION INTO A SINGLE COLUMN FORMAT.

Thank you in advance for your assistance and expertise.

Sincerely,

Cecilia Gil

Board Assistant to:
KECIA HARPER-IHEM, CLERK OF THE BOARD

Gil, Cecilia

From: Michael Evans <recordmde@aol.com>
Sent: Tuesday, August 20, 2013 10:03 AM
To: Gil, Cecilia
Subject: Re: FOR PUBLICATION: Res. F2013-20 North Norco Channel

Good Morning,

I have received the notice for publication.

Thanks much and have a nice day.

Mike

-----Original Message-----

From: Gil, Cecilia <CCGIL@rcbos.org>

To: recordmde <recordmde@aol.com>

Sent: Tue, Aug 20, 2013 7:24 am

Subject: FOR PUBLICATION: Res. F2013-20 North Norco Channel

Good morning! Attached is a Notice of Public Hearing, for publication on 2 Thursdays: Aug. 22 and 29, 2013. Please confirm. THANK YOU!

Cecilia Gil
Board Assistant
Clerk of the Board
951-955-8464
MS# 1010

NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

**RESOLUTION NO. F2013-20
SETTING A PUBLIC HEARING DATE FOR
NORTH NORCO CHANNEL, STAGE 10 PROJECT THEREFOR
IN ACCORDANCE WITH SECTION 18 OF THE DISTRICT ACT**

WHEREAS, this Board intends to undertake a project within the city of Norco, Riverside County, designated as North Norco Channel, Stage 10 Project ("Proposed Project"); and

WHEREAS, the Proposed Project is generally located southeasterly of the intersection of Second Street and River Road; and

WHEREAS, the Proposed Project consists of the installation and subsequent maintenance of approximately 550 lineal feet of reinforced concrete box and 125 lineal feet of concrete lined channel; and

WHEREAS, reference is made to the engineering cost estimate for the Proposed Project, entitled "Engineer's Statement" on file with the Clerk of the Board; and

WHEREAS, reference is made to a map dated July 2013, bearing the name and showing the general location and typical section of the Proposed Project which is also on file with the Clerk of the Board; and

WHEREAS, any person wishing to comment on the Proposed Project may do so in writing between the date of this notice and the public hearing, or may appear and be heard at the time and place noted below; and

WHEREAS, in a subsequent legal challenge any person may be limited to raising only those issues he, she or someone else raised at the public hearing described in this notice, or in written comments delivered before or at the public hearing; and

WHEREAS, prior to making a decision on the Proposed Project, this Board will consider all written and oral comments; and

WHEREAS, the above-listed documents can be inspected at the District office, 1995 Market Street, Riverside, California 92501 and written comments will be received at the above address.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by the Board of Supervisors of the Riverside County Flood Control and Water Conservation District in regular session assembled on July 30, 2013 that:

1. A public hearing concerning the intent to approve the Proposed Project will be held at 10:30 a.m. on September 24, 2013, at the meeting room of this Board, 1st Floor, County Administrative Center, 4080 Lemon Street, Riverside, California 92502, at which time all public comment shall be heard.

2. A copy of this resolution and copies of the above listed documents shall be posted at least thirty (30) days before said hearing at City of Norco City Hall, 2870 Clark Avenue, Norco, California 92860.

3. A copy of this resolution shall be posted at least thirty (30) days before said hearing at the Riverside County Clerk and Recorder's Office, 2724 Gateway Drive, Riverside, California 92507.

4. The Clerk of this Board is directed to cause a copy of this resolution to be published twice, once at least thirty (30) days before said hearing, and once seven (7) days following the initial publication in a newspaper of general circulation in accordance with Section 18 of the District Act.

ROLL CALL:

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

The foregoing is certified to be a true copy of a resolution duly adopted by said Board of Supervisors on July 30, 2013.

KECIA HARPER-IHEM, Clerk of said Board
By: Cecilia Gil, Board Assistant

Any person affected by the above matter(s) may submit written comments to the Clerk of the Board before the public hearing or may appear and be heard in support of or opposition to the project at the time of the hearing. If you challenge the above item(s) in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence, to the Board of Supervisors at, or prior to, the public hearing.

Please send all written correspondence to: Clerk of the Board, 4080 Lemon Street, 1st Floor, Post Office Box 1147, Riverside, CA 92502-1147

Dated: August 20, 2013 Kecia Harper-Ihem, Clerk of the Board
By: Cecilia Gil, Board Assistant

CERTIFICATE OF POSTING

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

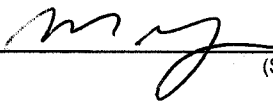
I, mary ann meyer, do hereby certify that I am
not
(NAME AND TITLE)
a party to the within action or proceeding; that on 8.8.13, I posted a
(DATE)
copy of the following document:

**RESOLUTION NO. F2013-20 SETTING A PUBLIC HEARING DATE FOR NORTH NORCO
CHANNEL, STAGE 10 PROJECT THEREFOR IN ACCORDANCE WITH SECTION 18 OF THE
DISTRICT ACT**

by posting at:

**Riverside County Clerk and Recorder's Office
2724 Gateway Drive
Riverside, California 92507**

Date: 8.8.13


(Signature)

FILED
RIVERSIDE COUNTY

BOARD OF SUPERVISORS

AUG 08 2013

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

LARRY W. WARD, CLERK

By **RESOLUTION NO. F2013-20**

**SETTING A PUBLIC HEARING DATE FOR
NORTH NORCO CHANNEL, STAGE 10 PROJECT THEREFOR
IN ACCORDANCE WITH SECTION 18 OF THE DISTRICT ACT**

WHEREAS, this Board intends to undertake a project within the city of Norco, Riverside County, designated as North Norco Channel, Stage 10 Project ("Proposed Project"); and

WHEREAS, the Proposed Project is generally located southeasterly of the intersection of Second Street and River Road; and

WHEREAS, the Proposed Project consists of the installation and subsequent maintenance of approximately 550 lineal feet of reinforced concrete box and 125 lineal feet of concrete lined channel; and

WHEREAS, reference is made to the engineering cost estimate for the Proposed Project, entitled "Engineer's Statement" on file with the Clerk of the Board; and

WHEREAS, reference is made to a map dated July 2013, bearing the name and showing the general location and typical section of the Proposed Project which is also on file with the Clerk of the Board; and

WHEREAS, any person wishing to comment on the Proposed Project may do so in writing between the date of this notice and the public hearing, or may appear and be heard at the time and place noted below; and

WHEREAS, in a subsequent legal challenge any person may be limited to raising only those issues he, she or someone else raised at the public hearing described in this notice, or in written comments delivered before or at the public hearing; and

WHEREAS, prior to making a decision on the Proposed Project, this Board will consider all written and oral comments; and

COUNTY CLERK
Neg Declaration/Ntc Determination
Filed per P.R.C. 21160
POSTED

AUG 08 2013

Removed: _____

By: -1- _____ Dep
County of Riverside

FORM APPROVED COUNTY COUNSEL
BY: Michelle Clack 7/15/13
DATE
MICHELLE CLACK

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WHEREAS, the above-listed documents can be inspected at the District office, 1995 Market Street, Riverside, California 92501 and written comments will be received at the above address.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by the Board of Supervisors of the Riverside County Flood Control and Water Conservation District in regular session assembled on July 30, 2013 that:

1. A public hearing concerning the intent to approve the Proposed Project will be held at 10:30 a.m. on September 24, 2013, at the meeting room of this Board, 1st Floor, County Administrative Center, 4080 Lemon Street, Riverside, California 92502, at which time all public comment shall be heard.

2. A copy of this resolution and copies of the above listed documents shall be posted at least thirty (30) days before said hearing at City of Norco City Hall, 2870 Clark Avenue, Norco, California 92860.

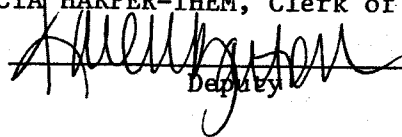
3. A copy of this resolution shall be posted at least thirty (30) days before said hearing at the Riverside County Clerk and Recorder's Office, 2724 Gateway Drive, Riverside, California 92507.

4. The Clerk of this Board is directed to cause a copy of this resolution to be published twice, once at least thirty (30) days before said hearing, and once seven (7) days following the initial publication in a newspaper of general circulation in accordance with Section 18 of the District Act.

ROLL CALL:

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

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

AUG 08 2013

CERTIFICATE OF POSTING

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

TIME: _____
CITY CLERK

I, Diane Germain, Deputy City Clerk, do hereby certify that I am
not _____,
(NAME AND TITLE)
a party to the within action or proceeding; that on 8/08/2013, I posted a
(DATE)
copy of the following document:

RESOLUTION NO. F2013-20 SETTING A PUBLIC HEARING DATE FOR NORTH NORCO
CHANNEL, STAGE 10 PROJECT THEREFOR IN ACCORDANCE WITH SECTION 18 OF THE
DISTRICT ACT

by posting at:

City of Norco City Hall
2870 Clark Avenue
Norco, California 92860

Date: 8/08/13

Diane Germain
(Signature)

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BOARD OF SUPERVISORS RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

**RESOLUTION NO. F2013-20
SETTING A PUBLIC HEARING DATE FOR
NORTH NORCO CHANNEL, STAGE 10 PROJECT THEREFOR
IN ACCORDANCE WITH SECTION 18 OF THE DISTRICT ACT**

WHEREAS, this Board intends to undertake a project within the city of Norco, Riverside County, designated as North Norco Channel, Stage 10 Project ("Proposed Project"); and

WHEREAS, the Proposed Project is generally located southeasterly of the intersection of Second Street and River Road; and

WHEREAS, the Proposed Project consists of the installation and subsequent maintenance of approximately 550 lineal feet of reinforced concrete box and 125 lineal feet of concrete lined channel; and

WHEREAS, reference is made to the engineering cost estimate for the Proposed Project, entitled "Engineer's Statement" on file with the Clerk of the Board; and

WHEREAS, reference is made to a map dated July 2013, bearing the name and showing the general location and typical section of the Proposed Project which is also on file with the Clerk of the Board; and

WHEREAS, any person wishing to comment on the Proposed Project may do so in writing between the date of this notice and the public hearing, or may appear and be heard at the time and place noted below; and

WHEREAS, in a subsequent legal challenge any person may be limited to raising only those issues he, she or someone else raised at the public hearing described in this notice, or in written comments delivered before or at the public hearing; and

WHEREAS, prior to making a decision on the Proposed Project, this Board will consider all written and oral comments; and

FORM APPROVED COUNTY COUNSEL
BY: *Michelle Clack* 7/15/13
MICHELLE CLACK DATE

RECEIVED
CITY OF NORCO
AUG 08 2013
TIME: _____
CITY CLERK
07.30.13 11-1

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NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by the Board of Supervisors of the Riverside County Flood Control and Water Conservation District in regular session assembled on July 30, 2013 that:

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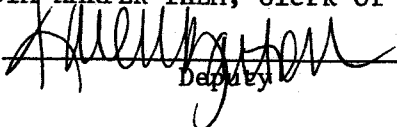
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4. The Clerk of this Board is directed to cause a copy of this resolution to be published twice, once at least thirty (30) days before said hearing, and once seven (7) days following the initial publication in a newspaper of general circulation in accordance with Section 18 of the District Act.

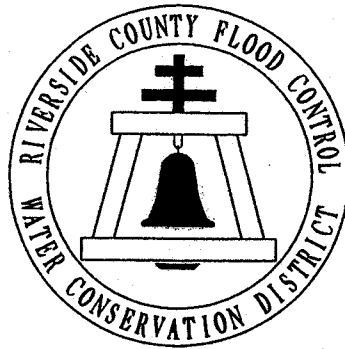
ROLL CALL:

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

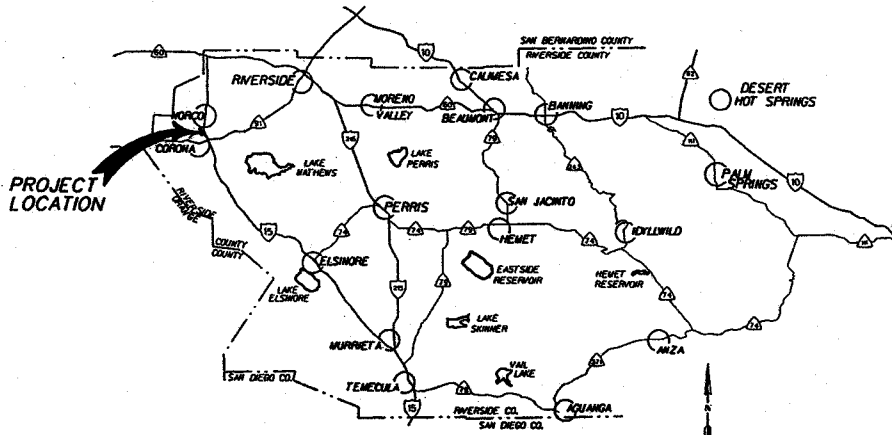
The foregoing is certified to be a true copy of a resolution duly adopted by said Board of Supervisors on the date therein set forth.

KECIA HARPER-IHEM, Clerk of said Board
By  Deputy

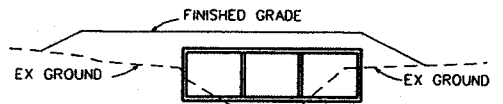
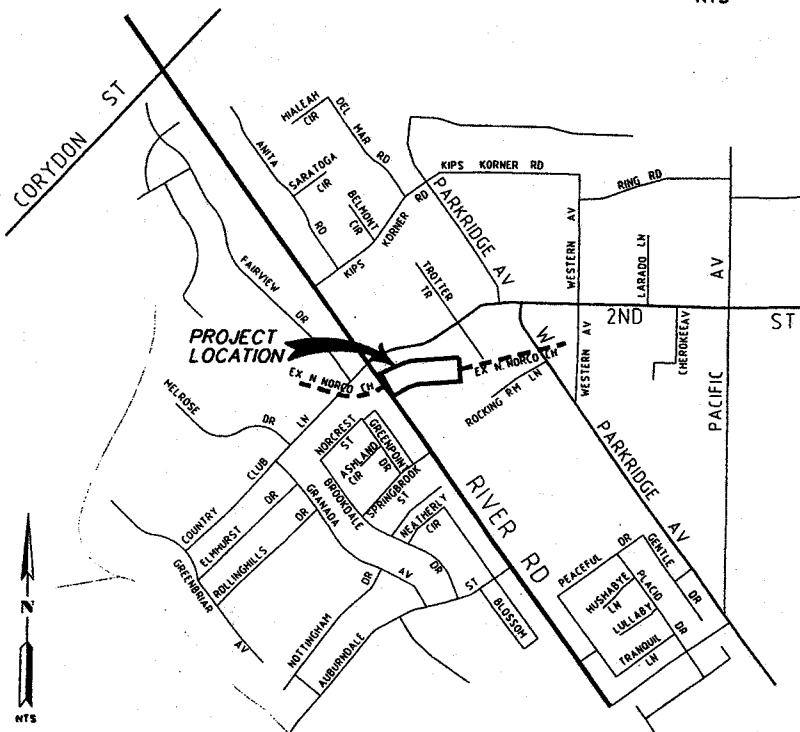
SECTION 18
PUBLIC HEARING
MAP



NORTH NORCO CHANNEL
STAGE 10
PROJECT NO. 2-0-00140
JULY 2013



VICINITY MAP
NTS



TYP. RCB SECTION



TYP. CHANNEL SECTION

North Norco Channel, Stage 10

Project No. 2-0-00140-10

Engineer's Statement

The proposed project is located southeasterly of the intersection of Second Street and River Road within the city of Norco in Riverside County, California. The District's North Norco Channel is improved to its ultimate capacity upstream and downstream of this proposed project. This project, which consists of approximately 550 lineal feet of triple cell reinforced concrete box (RCB) and 125 lineal feet of open concrete channel transition, will replace the existing interim dirt channel. Once this segment is constructed, North Norco Channel, a backbone drainage facility in the city of Norco, will have ultimate capacity from its outlet near Prado Dam inundation area to upstream of the I-15.

The proposed project area may be found within Township 3 South, Range 7 West, Section 14 of the Fontana 7.5 Series USGS Topographic Quadrangle map. The District will continue to operate and maintain this facility in its entirety. The cost of the proposed project is estimated at \$1,500,000.

North Norco Channel, Stage 10

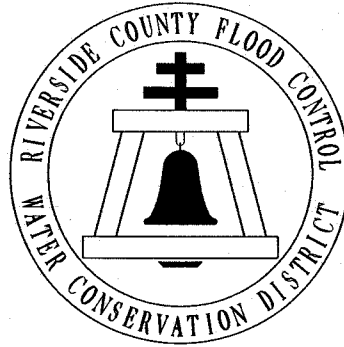
Project No. 2-0-00140-10

Engineer's Statement

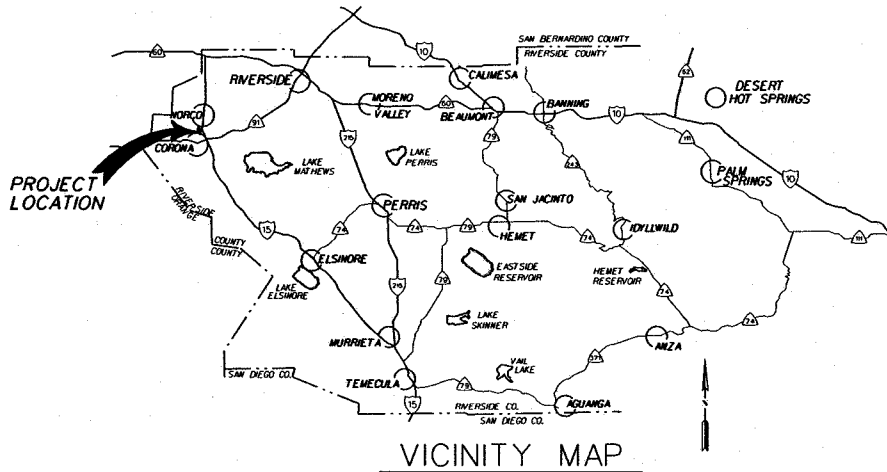
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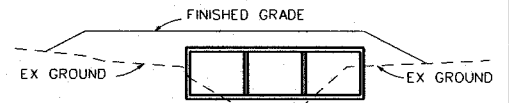
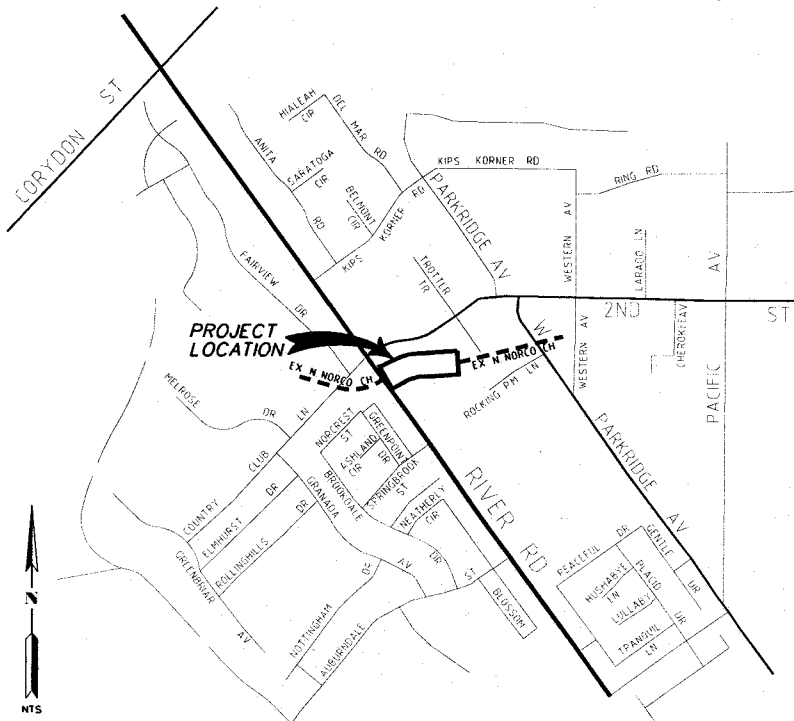
SECTION 18
PUBLIC HEARING
MAP



NORTH NORCO CHANNEL
STAGE 10
PROJECT NO. 2-0-00140
JULY 2013



NTS



TYP. RCB SECTION



TYP. CHANNEL SECTION

SCANNED

**ADDENDUM TO AN
ADOPTED MITIGATED NEGATIVE DECLARATION**

NORTH NORCO CHANNEL FLOOD CONTROL IMPROVEMENTS PROJECT

TABLE OF CONTENTS

<u>SECTION</u>	<u>PAGE</u>
PROJECT INFORMATION	3
PURPOSE OF DOCUMENT	3
IMPROVEMENTS TO THE NORTH NORCO FLOOD CONTROL CHANNEL FROM RIVER ROAD TO 676 LINEAR FEET TO THE EAST	3
DESCRIPTION OF ANALYSIS	4
CITY REQUIREMENTS FOR USE OF AN ADDENDUM	5
CIRCULATION AND PUBLIC REVIEW OF ADDENDUM	6
ENVIRONMENTAL ANALYSIS OF PROPOSED IMPROVEMENTS TO THE NORTH NORCO FLOOD CONTROL CHANNEL	6
MANDATORY FINDINGS OF SIGNIFICANCE	20

Addendum to An Adopted Mitigated Negative Declaration

Page 2

July 12, 2010

EXHIBITS:

Exhibit 1: Regional Map, North Norco Flood Control Channel Improvements Project

Exhibit 2: Vicinity Map, North Norco Flood Control Channel Improvements Project

Exhibit 3: Site Layout, North Norco Flood Control Channel Improvements Project

APPENDICES:

Appendix A: Cultural Resources Report, North Norco Flood Control Channel Improvements Project, prepared by LSA Associates, Inc.

Appendix B: Jurisdictional Delineation Report, North Norco Flood Control Channel Improvements Project, prepared by Glenn Lukos Associates, Inc.

Appendix C: Biological Technical Report, North Norco Flood Control Channel Improvements Project, prepared by Glenn Lukos Associates, Inc.

PROJECT INFORMATION

Project Title: North Norco Flood Control Channel Improvements Project

Assessor Parcel Numbers: Portions of 119-020-002, 119-020-015, 119-020-021, -022, and -023

Applicant: Realty Bancorp Equities, Inc.
21800 Burbank Boulevard, Suite 330
Woodland Hills, California 91367
Attn: Douglas Jacobsen
(818) 251-9911

PURPOSE OF THIS DOCUMENT

This document has been prepared by the City of Norco (City), the Lead Agency, as an Addendum to the July 16, 2008 Initial Study/Mitigated Negative Declaration (2008 IS/MND) for the Site Plan 2008-02; Conditional Use Permit 2008-02 and 2008-03; and Tentative Parcel Map 24525 Project, also known as the River Ridge Project (River Ridge), pursuant to Section 15164 (Addendum to an EIR or Negative Declaration) of the California Environmental Quality Act (CEQA) Guidelines. This Addendum describes the proposed improvements to the North Norco Flood Control Channel (Channel), herein considered to be the North Norco Flood Control Channel Improvements Project (Project). The Project consists of a 1.10-acre area, which is contained within the limits of the River Ridge Project and the City Property, which is located immediately east of, and adjacent to, the River Ridge Project (see Exhibit 1, Regional Map; and Exhibit 2, Vicinity Map).

On July 16, 2008, the City adopted the MND for the River Ridge Project. The City is the Lead Agency under CEQA and is preparing this Addendum to evaluate the proposed improvements to the Channel. The proposed improvements are described below.

Improvements to the North Norco Flood Control Channel from River Road to 676 Linear-Feet to the Eastern Project Boundary

- Improvement to an approximate 676 linear-foot section of the Channel from River Road to 676 linear feet to the east to provide local residents with 100-year flood control protection and public safety through returning the existing flood control channel to its original design capacity.
- A 391 linear-foot segment of the 676-linear-foot Channel, the upstream portion of the Channel within the Project area, will be improved from a soft-bottom, earthen bank channel to a concrete bottom, concrete-sided channel, with the necessary

Riverside County Flood Control and Water Conservation District (RCFCD) access roads, from the Project's eastern boundary to 391 linear feet to the west.

- The downstream portion of the Channel, the remaining 285 linear feet of streambed within the Project area, will be placed into a triple box culvert, which will extend the existing triple box culvert from River Road east for approximately 285 linear feet.

DESCRIPTION OF ANALYSIS

The proposed Project includes 1.10 acres of land and consists of the improvement to an approximate 676 linear-foot section of the Channel from River Road to 676 linear feet to the east. The improvements to the Channel are required by the RCFCD in order to provide local residents with 100-year flood control protection and public safety through returning the existing flood control channel to its original design capacity.

As part of the Project, an approximate 391 linear-foot segment of the Channel will be improved from a soft-bottom, earthen bank channel to a concrete bottom, concrete-sided channel, with the necessary RCFCD access roads, from the Project's eastern boundary to 391 linear feet to the west. This section of the Channel will connect with the off site upstream portion of the Channel, which is already a concrete-bottom, concrete-sided flood control channel between the Project boundary and the I-15 Freeway, which is approximately 1.75 miles to the east.

The downstream portion of the Project, which consists of the remaining 285 linear feet, will be placed into a triple box culvert, which will extend the existing triple box culvert from River Road east for approximately 285 linear feet. This section of the Channel will connect with the off site downstream portion of the Channel, which is already a concrete-bottom, concrete-sided flood control channel for 750 linear feet to the west adjacent to Country Club Park in the City of Corona. Exhibit 3 depicts the Project area and its site layout.

Total Area of Analysis

Approximately 1.10 acres (Site conditions are unchanged since issuance of the 2008 IS/MND).

Street References

Southeast corner of Second Street and River Road

CITY REQUIREMENTS FOR USE OF AN ADDENDUM

The City has determined that preparation of an Addendum to the adopted 2008 IS/MND pursuant to Sections 15164 and 15162 of the CEQA Guidelines is the most appropriate method of addressing the proposed improvements to the North Norco Flood Control Channel. Section 15164(b) of the CEQA Guidelines allows the preparation of an Addendum to a Mitigated Negative Declaration as follows:

- (b) An addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred.

Section 15162 of the CEQA Guidelines states:

- (a) When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:
 - (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
 - (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
 - (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:
 - (A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
 - (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;

- (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
- (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Based upon the information contained in this Addendum, the City has determined that the proposed necessary changes to the adopted 2008 IS/MND included in this document meet the above CEQA criteria requiring preparation of, and treating this document as, an Addendum to the adopted 2008 IS/MND.

CIRCULATION AND PUBLIC REVIEW OF ADDENDUM

Under Section 15164(c) of the CEQA Guidelines, an Addendum does not need to be circulated for public review. The decision-making body is required to "consider" the Addendum with the adopted IS/MND prior to making a decision on the project (CEQA Guidelines Section 15164[d]); however, in the interest of full disclosure and public information, the City has decided to make the Addendum available for public review for a period of 30 days from August 2, 2010 until September 1, 2010. Written comments on the Addendum must be submitted to the City Planning Department (2870 Clark Avenue; Norco, California 92860) prior to 5:00 p.m. on September 1, 2010.

ENVIRONMENTAL ANALYSIS OF THE PROPOSED IMPROVEMENTS TO THE NORTH NORCO CHANNEL

1) AESTHETICS

a) Scenic Resources

The 2008 IS/MND found that the proposed River Ridge Project is not located near a scenic highway corridor and would not result in the creation of an aesthetically offensive site since the River Ridge Project will be designed in accordance with development standards for the Commercial General (CG) Zone and with architecture that is determined to be compatible with the community and surrounding area.

The Project, which is adjacent to the River Ridge Project, is located in the Limited Development (LD) Zone. The Project is not located near a scenic highway

corridor and would not result in the creation of an aesthetically offensive site since the improvements to the Channel will be completed in accordance with the permitted uses approved as part of the Limited Development (LD) Zone. Since the Channel is a flood control channel, which is maintained by RCFCD for flood control purposes and public safety for local residents, minimal aesthetic value exists and improvements to the Channel would be considered less than significant.

Mitigation Measure AESTHETICS-1

The applicant shall comply with all development standards contained within the LD Zone in Section 18.11 of the City Zoning Ordinance.

b) Lighting Issues

The 2008 IS/MND found that the proposed River Ridge Project would introduce new sources of light and glare into the area. However, the lighting for buildings and parking lots would be required to be "down-lit" and shielded. The proposed Project consists of improvements to the Channel. Lighting should not be an issue for improvements to the Channel; however, the mitigation measure identified within the 2008 IS/MND is still applicable to the Project.

Mitigation Measure AESTHETICS-2

Lighting impacts shall be mitigated to a less than significant level through engineering and architectural practices approved by the City Engineering Department during the Site Plan Review process described in Section 18.40 of the Zoning Ordinance.

2) AGRICULTURAL RESOURCES

The 2008 IS/MND found that the proposed River Ridge Project would not result in any agricultural resources impacts. The proposed Project, which consists of improvements to the Channel, which is adjacent to the River Ridge Project, would not change that conclusion; therefore, no mitigation measures are required.

3) AIR QUALITY

The Project does not have any direct link to any implementation program of the South Coast Air Quality Management District (SCAQMD). The Project would not create any long-term air quality impacts and would not contribute to any existing problems outside of temporary exhaust from grading and construction vehicles. These air quality impacts are temporary and are not considered to be significant. In addition, the Project site would be conditioned to be watered down by water trucks during construction to control dust and avoid impacts on air quality.

Long-term impacts associated with this Project relating to vehicular trips would be within the thresholds established for growth in this area as determined by SCAQMD; therefore, no mitigation measures are required

4) CULTURAL RESOURCES

a) Historic Resources

LSA Associates, Inc. (LSA) conducted a cultural resources review of the River Ridge Project and the Project in June and July 2009 and no historic resources were identified on site. A copy of LSA's cultural resource report is attached as Appendix A. Although no historic resources were identified on site, the 2008 IS/MND contained a required mitigation measure, which stated that in the event that unknown historic resources are identified on site during construction activities, the Project applicant would be conditioned to cease construction operations within the area of the discovery immediately notify the City of this discovery. The applicant would be required to retain the services of a qualified cultural resources specialist to determine the magnitude of the find and protect resources as appropriate. That mitigation measure is still applicable. A copy of the Cultural Resources Report is attached as Appendix A of this document.

Mitigation Measure CULTURAL-1

In the event that unknown historic resources are identified on site during construction activities, the Project applicant shall cease construction operations within the area of the discovery and immediately notify the City Planning Department of this discovery. The applicant shall be required to retain the services of a qualified cultural resources specialist to determine the magnitude of the find and protect resources as appropriate.

b) Archaeological Resources

LSA conducted a cultural resources review of the River Ridge Project and the Project in June and July 2009 and no archaeological resources were identified on site. A copy of LSA's cultural resource report is attached as Appendix A. Although no cultural resources were identified on site, the 2008 IS/MND contained a required mitigation measure, which stated that in the event that unknown archaeological resources are identified on site during construction activities, the Project applicant would be conditioned to cease construction operations within the area of the discovery and immediately notify the City of this discovery. The applicant would also be required to retain the services of a qualified archaeologist to determine the magnitude of the find and protect resources as appropriate. That mitigation measure is still applicable. A copy of the Cultural Resources Report is attached as Appendix A of this document.

Mitigation Measure CULTURAL-2

In the event that unknown archaeological resources are identified on site during construction activities, the Project applicant shall cease construction operations within the area of the discovery and immediately notify the City of this discovery. The applicant shall also retain the services of a qualified archaeologist to determine the magnitude of the find and protect resources as appropriate. Any excavation and recovery of resources shall be performed by a qualified archaeologist using standard archaeological techniques. Artifacts, notes, photographs, and other project materials recovered shall be curated at a facility meeting federal and state standards.

5) BIOLOGICAL RESOURCES

a) Wildlife & Vegetation

Disturbance to the Channel, in connection with the Project, totals 0.22 acre of permanent impact to U.S. Army Corps of Engineers (Corps) jurisdictional waters, of which 0.20 acre consists of jurisdictional wetlands, and 0.31 acre of California Department of Fish and Game (CDFG) jurisdiction, of which 0.29 acre consists of vegetated riparian habitat. The Channel, which flows westerly onsite for 676 linear feet, exhibits an earthen bed and bank and supports riparian habitat and emergent wetlands.

Glenn Lukos Associates (GLA) prepared a jurisdictional delineation report for the Project to determine the boundaries of Corps jurisdiction pursuant to Section 404 of the Clean Water Act (CWA), California Regional Water Quality Control Board (Regional Board) jurisdiction pursuant to Section 401 of the CWA and Section 13260 of the California Water Code (CWC), and CDFG jurisdiction pursuant to Section 1602 of the

Fish and Game Code. A total of 0.22 acre of Corps and Regional Board jurisdiction, of which 0.20 acre consists of jurisdictional wetlands (676 linear feet), was identified and 0.22 acre of Corps and Regional Board jurisdiction, of which 0.20 acre consists of jurisdictional wetlands (676 linear feet), would be permanently impacted by the Project. CDFG jurisdiction within the Project totals 0.31 acre, of which 0.29 acre consists of vegetated riparian habitat (676 linear feet of streambed), and the Project would permanently impact 0.31 acre of CDFG jurisdiction, of which 0.29 acre consists of vegetated riparian habitat (676 linear feet of streambed). As noted in the Project description, an existing triple box culvert associated with the Channel will be extended from River Road for approximately 285 linear feet to the east and the remaining 391 linear-foot portion of the Channel will consist of a concrete bottom, concrete-sided Channel pursuant to RCFCD requirements. The applicant will be required to secure a Corps Section 404 Permit, a Regional Board Section 401 Water Quality Certification, and a CDFG Section 1602 Streambed Alteration Agreement, or written confirmation that no permits or clearances are required by these agencies. The applicant shall comply with all mitigation measures and special conditions associated with these permits/agreements. A copy of the Project's jurisdictional delineation report is attached as Appendix B.

GLA prepared a Biological Survey/Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Consistency Analysis Report for the Project. The report summary included the following information:

- The Project site is not located within any MSHCP Sub-Units, Criteria Cells, or Cell Groups.
- The Project site is not located within any area identified as critical habitat for any plant or animal species listed as threatened or endangered by the U.S. Fish and Wildlife Service (USFWS). Project implementation will not interfere with any federally listed species.
- The Project site is not located within an area identified by the MSHCP as "Additional Reserve Lands." Development will not interfere with any MSHCP identified additional reserve lands; however, the Project site has been identified as Public/Quasi Public Lands (PQP) pursuant to the MSHCP.
- The Project site is not located within the Stephen's Kangaroo Rat Fee Area (payment of fee not required).
- No listed threatened or endangered plant or wildlife species not adequately conserved by the MSHCP were identified on the site.
- The western burrowing owl, a Federal Species of Concern and a CDFG California Species of Concern, was observed within the unimproved Channel.

Project Relationship to MSHCP Reserve Assembly (Criteria Cells)

The Project is located within the Riverside/Norco Area Plan of the MSHCP. No part of the Project is located within a Sub Unit, Criteria Cell, or Cell Group proposed for conservation by the MSHCP; therefore, the Project is not subject to the Habitat Evaluation and Acquisition Negotiation Strategy (HANS) process and is considered consistent with respect to the Reserve Assembly. In addition, the Project is not located within the MSHCP Additional Survey Areas for Amphibians, Mammals, Burrowing Owl, or Special Linkage Area.

MSHCP Consistency

In order to be deemed consistent with the MSHCP, the Project must adhere to the guidelines set forth in the Reserve Assembly (Criteria Cells), if applicable, Section 6.1.2 (Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools), Section 6.1.3 (Protection of Narrow Endemic Plant Species), Section 6.1.4 (Guidelines Pertaining to the Urban/Wildlands Interface), Section 6.3.2 (Additional Survey Needs And Procedures), Section 6.4 (Fuels Management), and Section 7.2.4 (Public/Quasi-Public Lands). The Project adheres to these guidelines, and is therefore consistent with the MSHCP.

- **Section 6.1.2 (Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools)**

The MSHCP defines riparian/riverine areas as “lands which contain habitat dominated by trees, shrubs, persistent emergents, or emergent mosses and lichens, which occur close to or which depend upon soil moisture from a nearby fresh water source, or areas with fresh water flow during all or a portion of the year.”

The Project site supports southern willow scrub with emergent wetland habitat and unvegetated, open water areas, which meet the MSHCP definition of a Riparian/Riverine Area. Approximately 0.31-acre of southern willow scrub with emergent wetland and/or open water areas were mapped within the Project site.

The MSHCP defines vernal pools as “seasonal wetlands that occur in depression areas that have wetlands indicators of all three parameters (soils, vegetation, and hydrology) during the wetter portion of the growing season but normally lack wetlands indicators of hydrology and/or vegetation during the drier portion of the growing season. With the exception of wetlands created for the purpose of providing wetlands habitat or resulting from human actions to create open waters or from the alteration of natural stream course, areas demonstrating characteristics as described above which are artificially created are not included in these definitions.” The Project does not support vernal pools as defined by the MSHCP.

The Riparian/Riverine features on site were evaluated and were found not to contain those species identified in Section 6.1.2 (Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools), or contain potential habitat for those species identified in Section 6.1.2, including listed fairy shrimp. As stated above, no seasonal or vernal pools, or species associated with seasonal or vernal pools, were observed or detected on site.

For unavoidable impacts to MSHCP Riparian/Riverine areas, Section 6.1.2 of the MSHCP requires that the Permittee (i.e., City of Norco) approve a Determination of Biologically Equivalent or Superior Preservation (DBESP) to ensure the replacement of any lost functions and values of habitat as it relates to Covered Species. GLA prepared a DBESP, which proposes to compensate for permanent Project impacts through a one-time in-lieu fee payment for 0.63 acre of credits to either the Santa Ana River Mitigation Bank, a Corps-approved mitigation bank, or the Santa Ana Watershed Association In-Lieu Fee Wetland Creation Program, a Corps approved in-lieu fee program, to enhance, restore, and/or create wetland and riparian habitat within the Santa Ana River Watershed.

- **Section 6.1.3 (Protection of Narrow Endemic Plant Species)**

The MSHCP requires that within identified Narrow Endemic Plant Species Survey Areas (NEPSSA), site-specific focused surveys for Narrow Endemic Plant Species will be required for all public and private projects where appropriate soils and habitat are present. Surveys are to be conducted in the appropriate season, in accordance with established protocols.

The Project is not located within the NEPSSA survey areas pursuant to Section 6.1.3 (Protection of Narrow Endemic Plant Species) of the MSHCP. Therefore, the NEPSSA requirements are not applicable to the Project.

- **Section 6.1.4 (Guidelines Pertaining to the Urban/Wildlands Interface)**

According to the MSHCP, the Urban/Wildlands Interface Guidelines are intended to address indirect effects associated with locating development in proximity to the MSHCP Conservation Area. The Guidelines shall be implemented in conjunction with review of individual public and private development projects in proximity to the MSHCP Conservation Area and address the following:

- Drainage;
- Toxics;
- Lighting;
- Noise;
- Invasives;

- Barriers; and
- Grading/Land Development.

The Project is mapped as PQP Lands; however, the City understands that RCFCD has entered into PQP reconciliation discussions with the RCA. After discussing the status of the PQP reconciliations with RCFCD staff, it appears that RCFCD and RCA are concentrating reconciliation efforts on lands currently depicted as PQP Lands that do not support habitat with conservation value and are not located within, or adjacent to, MSHCP Core Areas, Criteria Cells, or Linkages. The Channel is part of these reconciliation discussions. It is anticipated that such land will not be designated as PQP Lands at the conclusion of these discussions as the Project only supports small, isolated patches of habitat with low conservation value; therefore, it is the City's understanding that no impact to PQP Lands will occur as the lands within the Channel are expected to be removed from the PQP designation.

Since the Project is not located within close proximity to any MSHCP Criteria Cells or Conservation lands and is expected to be removed from the PQP designation, the Project is not subject to Section 6.1.4 (Guidelines Pertaining to the Urban/Wildlands Interface) of the MSHCP.

- **Section 6.3.2 (Additional Survey Needs And Procedures)**

According to the MSHCP, additional surveys shall be required for certain species in conjunction with MSHCP implementation in order to achieve coverage for these species. If potential habitat for these species is determined to be located on the property, focused surveys may be required during the appropriate season. If a survey is required, it will be conducted within suitable habitat according to accepted protocols. For locations with positive survey results, 90% of those portions of the property that provide for long-term conservation value for the identified species will be avoided until it is demonstrated that the conservation goals for the particular species are met.

The Project site is not located within the MSHCP Additional Survey Areas for Amphibians, Mammals, Burrowing Owl, or Special Linkage Areas. Therefore, the Project is not subject to Section 6.3.2 (Additional Survey Needs and Procedures) of the MSHCP.

In addition, the Project site is not located within the MSHCP Criteria Area Plant Species Survey Area (CAPSSA) pursuant to Section 6.3.2 of the MSHCP. Therefore, the CAPSSA requirements are not applicable to the Project site.

The western burrowing owl was observed utilizing the Project site from occupied burrows on site during general biological surveys and during focused surveys conducted in 2007. However, no burrowing owls were detected during an updated site visit on March 5, 2009 as recent storm flows had scoured the adjacent banks and

eliminated the previously occupied burrows. Although the Project does not currently support burrowing owls, the Project site does support suitable burrows and foraging habitat for the western burrowing owl.

- **Section 6.4 (Fuels Management)**

According to the MSHCP, fuels management focuses on hazard reduction for humans and their property. According to the Fuels Management guidelines, for new development that is planned adjacent to the MSHCP Conservation Area or other undeveloped areas, brush management shall be incorporated in the development boundaries and shall not encroach into the MSHCP Conservation Area. The Project site is not located within close proximity to any MSHCP Criteria Cells or Conservation lands. Therefore, the Project is not subject to Section 6.4 (Fuels Management) of the MSHCP.

- **Section 7.2.4 (Public/Quasi-Public Lands)**

The Channel is currently designated as PQP Lands to be conserved under the MSHCP. Pursuant to Section 7.2.4 (Public/Quasi-Public Lands) of the MSHCP document, *"Impacts to habitats within existing PQP Lands shall be compensated by purchase and dedication into the MSHCP Conservation Area of land at not less than a ratio of 1:1 that is in addition to the Additional Reserve Lands"*.

Section 3.2.1 of the MSHCP, the PQP Lands reconciliation process, is described as follows:

"Within five years of Permit issuance, the RCA shall verify the precise acreage, location, amount and status of PQP Lands in the MSHCP Conservation Area. Such information shall be submitted to the Wildlife Agencies for review. It is anticipated that during this time period, the status of PQP Lands will be verified and that periodic revisions or amendments will occur to property depicted as PQP Lands on the MSHCP Plan Map."

The City understands that RCFCD has entered into PQP reconciliation discussions with the RCA. After discussing the status of the PQP reconciliations with RCFCD staff, it appears that RCFCD and RCA are concentrating reconciliation efforts on lands currently depicted as PQP Lands that do not support habitat with conservation value and are not located within or adjacent to MSHCP Core Areas, Criteria Cells, or Linkages. The Channel is part of these reconciliation discussions. It is anticipated that such land will not be designated as PQP Lands at the conclusion of these discussions as the Project only supports small, isolated patches of habitat with low conservation value; therefore, no impact to PQP Lands will occur as the lands within the Channel are expected to be removed from the PQP designation. Since the Channel will be removed from the PQP designation, no mitigation is proposed or required.

MSHCP Consistency

As outlined above, the proposed Project will be consistent with the biological requirements of the MSHCP; specifically pertaining to the Project's relationship to reserve assembly, Section 6.1.2 (Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools), Section 6.1.3 (Protection of Narrow Endemic Plant Species), Section 6.1.4 (Guidelines Pertaining to the Urban/Wildlands Interface), Section 6.3.2 (Additional Survey Needs and Procedures), Section 6.4 (Fuels Management), and Section 7.2.4 (Public/Quasi-Public Lands). A copy of the Project biological technical report is attached as Appendix C.

Mitigation Measure BIOLOGICAL RESOURCES-1

Prior to the issuance of the Project grading permit, the applicant shall submit a fully executed copy of the Corps Section 404 Permit, Regional Board Section 401 Water Quality Certification, and CDFG Section 1602 Streambed Alteration Agreement, or written confirmation that no permits or clearances are required by these agencies, to the City Planning Department.

Mitigation Measure BIOLOGICAL RESOURCES-2

To compensate for the permanent disturbance to 0.22 acre of Corps and Regional Board jurisdiction, of which 0.20 acre consists of jurisdictional wetlands, and 0.31 acre of CDFG jurisdiction, of which 0.29 acre consists of vegetated riparian habitat, the Project applicant shall pay a one-time in-lieu fee payment for 0.63 acre of mitigation credits to either the Santa Ana River Mitigation Bank, a Corps-approved mitigation bank, or the Santa Ana Watershed Association In-Lieu Fee Wetland Creation Program, a Corps approved in-lieu fee program. The Santa Ana River Mitigation Bank is a Corps-certified mitigation bank that removes exotic vegetation such as giant reed (*Arundo donax*) and tamarisk from existing wetlands, to allow native vegetation such as willows and cottonwoods, to re-establish themselves. The Santa Ana Watershed Association In-Lieu Fee Wetland Creation Program is a Corps-certified in-lieu fee program, which involves replanting currently disturbed areas with native species following the removal of non-wetland plants from the Santa Ana River floodplain where wetland hydrology and soils exist.

Mitigation Measure BIOLOGICAL RESOURCES-3

Prior to the issuance of the Project grading permit, the applicant shall comply, and be deemed consistent with, the MSHCP. This includes the preparation of a DBESP, which shall be reviewed by the CDFG and USFWS, collectively, the "Wildlife Agencies," and approved by City staff, in compliance with Section 6.1.2 of the MSHCP. The applicant shall implement the approved DBESP prior to the issuance of a grading permit and comply with all biological mitigation measures contained within the DBESP.

Mitigation Measure BIOLOGICAL RESOURCES-4

Prior to the issuance of a grading permit associated with clearing, grading, demolition, or other earth-moving activities on site, a qualified biologist shall conduct a pre-construction burrowing owl clearance survey to satisfy Objective Number 6 of the MSHCP species-specific objectives for the burrowing owl. If breeding burrowing owls are detected on site, the applicant shall not impact breeding owls, or adjacent foraging habitat within 100 meters of breeding owl burrows, until after the breeding season ends (March 15th to August 31st).

If burrowing owls are observed within the Project's impact footprint, the applicant shall comply with the MSHCP guidelines by passively excluding and/or relocating the burrowing owl(s) outside of the burrowing owl breeding season, which is March 15th to August 31st. Relocation efforts shall be conducted outside of the burrowing owl breeding season following MSHCP-approved protocols.

Mitigation Measure BIOLOGICAL RESOURCES-5

The removal of potential nesting vegetation shall be conducted outside of the nesting season (February 1 to August 31) to the extent that this is feasible. If vegetation must be removed during the nesting season, a qualified biologist shall conduct a nesting bird survey of potentially suitable nesting vegetation prior to removal. Surveys shall be conducted no more than three (3) days prior to scheduled removals. If active nests are identified, the biologist shall establish buffers around the vegetation containing the active nest (500 feet for raptors and 150 feet for non raptors). The vegetation containing the active nest shall not be removed, and no grading shall occur within the established buffer, until a qualified biologist has determined that the nest is no longer active (i.e., the juveniles are surviving independent from the nest). If clearing is not conducted within three days of a negative survey, the nesting survey shall be repeated to confirm the absence of nesting birds.

With incorporation of the proposed mitigation measures described above, impacts to biological resources would be reduced to a less than significant level.

6. GEOLOGY AND SOILS

a) Geological Risks

The 2008 IS/MND for the River Ridge Project found that there are no "active" or "potentially active" faults known to exist within the city limits of Norco. Improvements to the Channel within the Project area would not result in the exposure of people to potentially substantial adverse affects from earthquake ground-shaking; therefore, no mitigation measures would be required

b) Slopes and Soils

The site is relatively flat adjacent to the street frontages, but gains elevation toward the eastern portion of the site. As such, the site drains to the northwest toward the Channel.

The proposed grading within the Project area has the potential to increase run-off and erosion, but as required in the 2008 IS/MND, the Channel improvements will be conditioned to require submittal of a precise grading plan for review and approval from the City Engineer and the applicant will be required to comply with City standard grading practices. A stormwater pollution prevention plan (SWPPP) and water quality management plan (WQMP) will be prepared to protect construction and post-construction water quality. The mitigation and monitoring measures identified in the 2008 IS/MND are still applicable.

Mitigation Measure GEOLOGY AND SOILS-1

Prior to the issuance of a grading permit, the applicant shall implement erosion control practices as stipulated in City Engineering Department's conditions of approval and in accordance with the Project's approved SWPPP and WQMP.

Mitigation Measure GEOLOGY AND SOILS-2

The City Engineering Department shall monitor grading and channel improvements during construction activities.

7. HAZARDS AND HAZARDOUS MATERIALS

Development and implementation of projects should not create hazardous conditions nor involve the use or transport of hazardous materials when implemented pursuant to approved plans and in accordance with standard City safety procedures and practices. The City does not have any sites identified or listed as having any hazardous materials. The Project should not interfere with emergency response plans. The Project site is located within one-quarter mile of an existing school; however, the Project will not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste. This Project is not located near wildlands with enough of a fuel load to sustain a threatening fire; therefore, no mitigation measures are required.

8. HYDROLOGY AND WATER QUALITY

This Project should not violate water quality or discharge requirements. Although the Project will alter the drainage course on site, the Project will comply with City

development standards that are designed to mitigate potential impacts to levels that are not significant. In addition, the Project must comply with an approved WQMP and SWPPP that is monitored by the City, County, and State. Compliance with approved WQMPs will reduce any potential impact to a level that is less than significant. Although the Project site is within a "B" Flood Zone (between the limits of 100 to 500 year flood) and an "A-9" Flood Zone, improvements to the Channel will not result in the need for a Conditional Letter of Map Revision (CLOMR) or a Letter of Map Revision (LOMR) from the Federal Emergency Management Agency (FEMA) as no habitable structures will be placed within a FEMA-regulated floodway.

Mitigation Measure HYDROLOGY AND WATER QUALITY-1

Prior to the issuance of a grading permit, the applicant shall prepare and submit a WQMP to the City Engineering Department that meets the conditions of the existing Regional Board Municipal Stormwater (MS-4) Permit for Riverside County and City development standards, including, but not limited to, the submittal of a grading plan. The WQMP shall also be approved by the City Engineering Department prior to the issuance of a grading permit, if necessary.

9. LAND USE/PLANNING

The Project is designed to be in conformance with the established LD Zone and is within an existing flood control channel. The existing land use and proposed improvements to the Channel would be permitted. The Project will comply with the development requirements of the City Municipal Code. Development will be in accordance with the City's General Plan as well as the LD Zone, and will not conflict with any applicable habitat conservation plan; therefore, no mitigation measures are required.

10. NOISE

Grading for the Project will generate temporary noise and vibration impacts from construction equipment. This impact is less than significant due to the modest size of the potential construction area and the temporary nature of any such activity. Any permanent increase in noise levels associated with maintenance activities within the Channel would still be considered less than significant. These activities would not change the conclusions regarding the River Ridge Project contained in the 2008 IS/MND; therefore, no mitigation measures are required.

11. POPULATION AND HOUSING

As noted in the 2008 IS/MND, the River Ridge Project will not displace existing housing or people since the existing use of the site would be as a commercial center. The Project, which is adjacent to the River Ridge Project and consists of improvements to the Channel, would not displace existing housing or people since the use of the site would be as a flood control channel. The Project will not induce substantial population growth and will not encourage significant population growth. Any growth that may be encouraged is within projections based on population growth for the region. The proposed improvements to the Channel would not change the conclusions contained in the 2008 IS/MND; therefore, no mitigation measures are required.

12. PUBLIC SERVICES

Construction of the Channel would not create an incremental increase in the demand for fire or police protection. Additionally, it would not require the provision of new or physically altered government facilities, or the need for new or physically altered governmental facilities; therefore, the Project would not change the conclusions contained within the 2008 IS/MND and no mitigation measures are required.

13. RECREATION

The Project will not result in any significant impact upon the quality or quantity of existing recreational opportunities since the Project will not create a need for use of existing parks and recreation facilities. Proposed Project impacts would not change the conclusions contained within the 2008 IS/MND; therefore, no mitigation measures are required.

14. TRAFFIC

The Project area is currently used as a flood control channel. Improvements to the Channel are not expected to generate additional traffic; therefore, no mitigation measures are required.

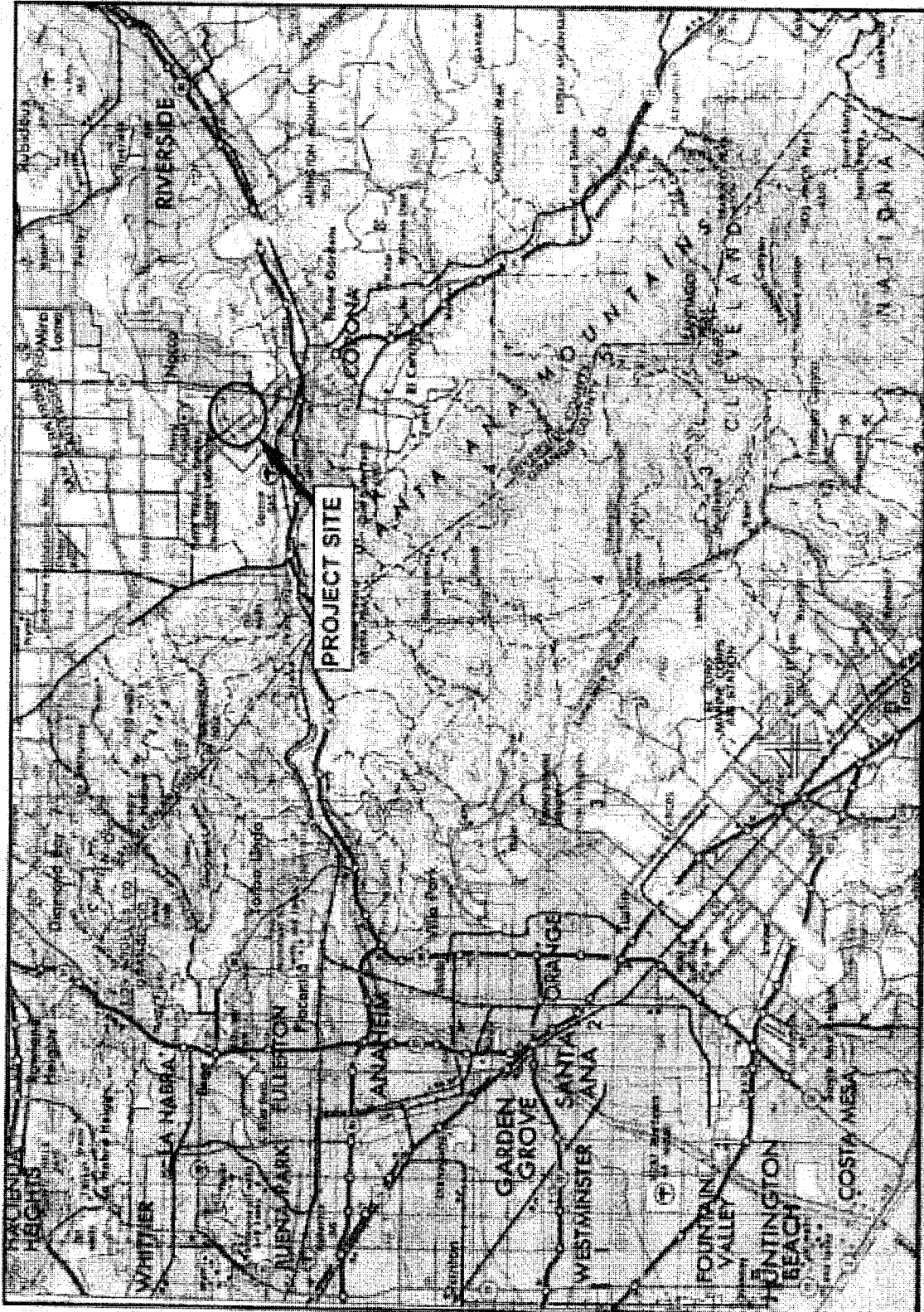
15. UTILITY AND SERVICE SYSTEMS

Improvements to the Channel would not require utility or service systems; therefore, no mitigation measures are required.

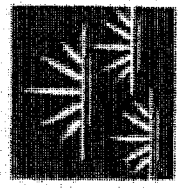
MANDATORY FINDINGS OF SIGNIFICANCE

The Project would not alter the potential impacts associated with the River Ridge Project in terms of number or severity of potential effect. The mitigation measures identified in the 2008 IS/MND for the River Ridge Project, combined with the proposed mitigation measures described in each appropriate section above, would continue to adequately reduce all potential impacts associated with the Project to less than significant levels. The Project would not result in a change to any of the mandatory findings of significance outlined in the 2008 IS/MND for the River Ridge Project and would be in compliance with Sections 15162 and 15164 of CEQA.

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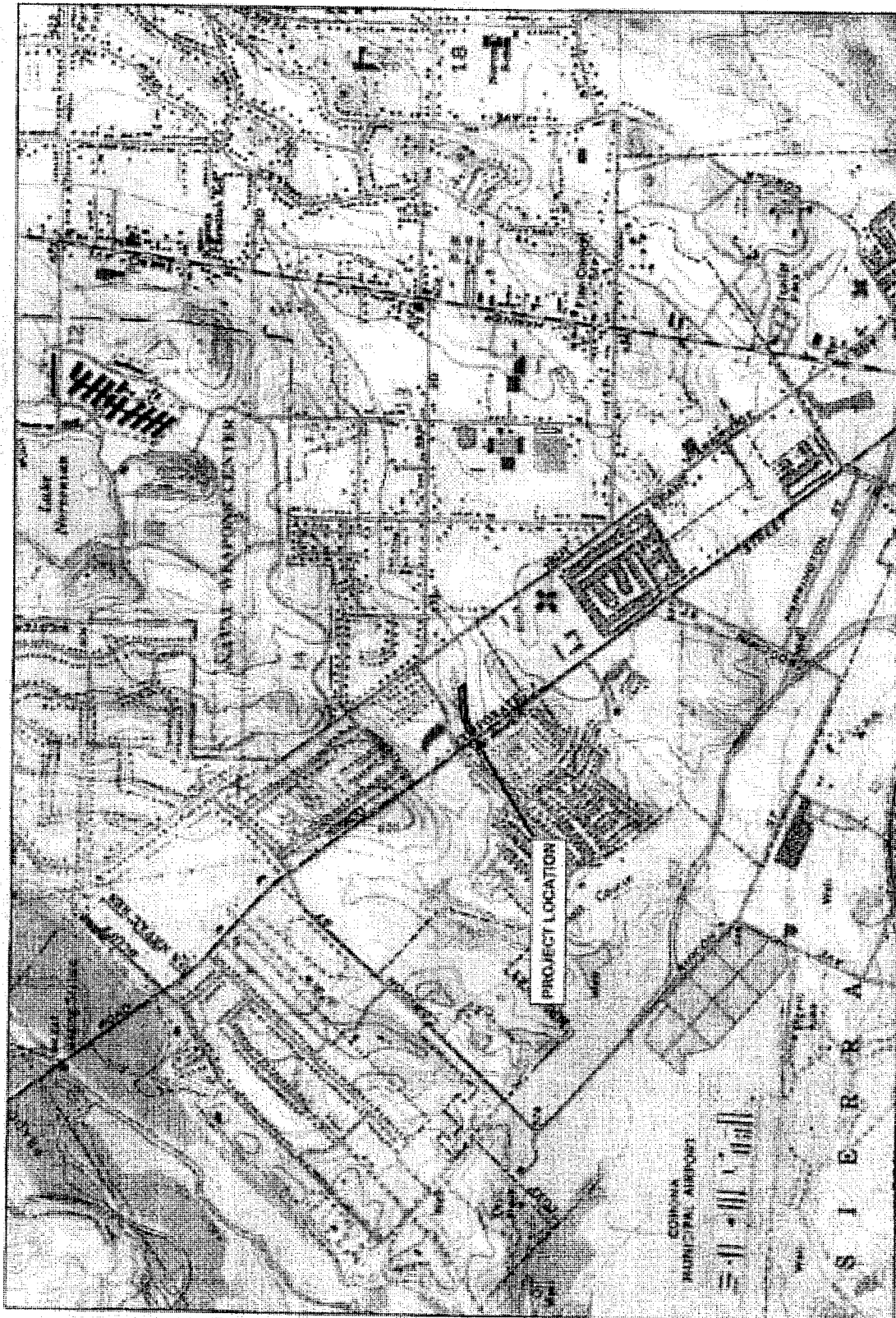
Adapted from USGS Santa Ana quadrangle



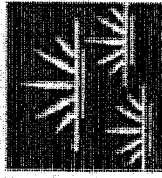
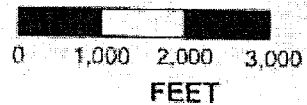
GLENN LUKOS ASSOCIATES

Exhibit 1

**NORTH NORCO CHANNEL
IMPROVEMENT PROJECT**
Regional Map



Adapted from USGS Corona North, CA quadrangle



GLENN LUKOS ASSOCIATES

EXHIBIT 2

**NORTH NORCO CHANNEL
IMPROVEMENT PROJECT**
Vicinity Map

Exhibit 3

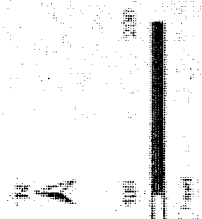
Site Layout, North Norco Channel Flood Control Improvements Project



**NORTH NORCO CHANNEL
IMPROVEMENT PROJECT**
Site Layout

GLENN LUKOS ASSOCIATES

Exhibit 3



Legend

 Project Area

Appendix A

Cultural Resources Report

SCANNED

300-91000
Draft Report

CULTURAL RESOURCES ASSESSMENT

RIVER RANCH PROJECT

CITY OF NORCO, RIVERSIDE COUNTY, CALIFORNIA

LSA

August 2009

CULTURAL RESOURCES ASSESSMENT

RIVER RANCH PROJECT

CITY OF NORCO, RIVERSIDE COUNTY, CALIFORNIA

Submitted to:

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LSA Project No. AML0901

National Archaeological Data Base Information:

Type of Study: Records Search, Survey

Sites Recorded: None

USGS Quadrangles: Corona North, California 7.5'

Acreage: 6.37 acres

Key Words: Negative Survey

LSA

August 2009

TABLE OF CONTENTS

ABSTRACT	ii
INTRODUCTION	1
SETTING	3
NATURAL SETTING	3
Geology and Geomorphology	3
Ecology	4
Paleoenvironment	4
Current Setting	5
CULTURAL	5
Prehistory	5
Ethnography	5
History	6
METHODS	8
ARCHIVAL RESEARCH	8
FIELD SURVEY	8
REPORT OF FINDINGS	9
ARCHIVAL RESEARCH	9
CA-RIV-1040	9
CA-RIV-1229	9
CA-RIV-2315	9
CA-RIV-2316	10
CA-RIV-3002	10
FIELD SURVEY	10
RECOMMENDATIONS AND MITIGATION MEASURES	11
REFERENCES	12

FIGURE

Figure 1: Project Location	2
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APPENDICES

- A: RECORDS SEARCH RESULTS
- B: PROJECT PHOTOGRAPHS

ABSTRACT

LSA Associates, Inc. (LSA) conducted a cultural resources assessment for the River Ranch Project (project) located in the City of Norco, Riverside County, California. The assessment included a records search, field survey, and report, all of which were completed in June and July 2009. The purpose of the assessment was to determine the presence of cultural resources within the proposed project area.

The records search conducted at the Eastern Information Center (EIC) indicated that only a small portion of the project area had been previously surveyed and that no cultural resources have been documented within or adjacent to the project.

The project area consists of four parcels (Parcels 1, 2, 3, and 4) encompassing 7.26 acres (ac). A pedestrian survey of Parcels 1, 2, and 3, encompassing 6.37 ac within the overall 7.26 ac project area, was completed. Parcel 4 was not surveyed, as it is developed with commercial properties and the ground surface is entirely obscured by pavement and buildings. No historic or prehistoric cultural material was observed during the survey. Ground visibility within the project area at the time of the survey was generally excellent (80–100 percent), as the property had been plowed. Given the excellent ground visibility and the fact that the periodic plowing of the property would likely have exposed evidence of a buried archaeological site, the presence of previously unidentified intact subsurface cultural deposits within the project area is unlikely. Therefore, LSA recommends that no further cultural resource management of the project area (such as construction monitoring) is necessary.

In the event that archaeological materials are encountered during construction, a qualified archaeologist should be contacted in order to determine the appropriate treatment of the discovery.

In the event human remains are encountered, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code (PRC) Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are determined to be Native American, the County Coroner will notify the Native American Heritage Commission (NAHC), which will determine and notify a Most Likely Descendant (MLD). With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 48 hours of notification by the NAHC. The MLD will have the opportunity to offer recommendations for the disposition of the remains.

INTRODUCTION

LSA has been retained in connection with the preparation of a cultural resources assessment for the River Ranch Project located within the City of Norco in western Riverside County. The project area is bounded by River Road to the west, Second Street to the north, a school to the south, and vacant land to the east, and is depicted on the United States Geological Survey (USGS) *Corona North, California* 7.5-minute topographic quadrangle map in an unsectioned portion of Township 3 South, Range 7 West (San Bernardino Baseline and Meridian) (Figure 1).

The project area, encompassing 7.26 ac, consists of four parcels (Parcels 1–4). Parcel 1 encompasses 3.79 ac; Parcel 2 encompasses 1.32 ac; Parcel 3 encompasses 1.26 ac; and Parcel 4 encompasses 0.89 ac. A Riverside County flood control channel separates Parcels 1 and 3. The project applicant, Realty Bancorp Equities (RBE), proposes to develop the project area into a commercial center.

This assessment has been prepared in accordance with the Advisory Council on Historic Preservation regulations (revised January 11, 2001) for the identification of historic properties (prehistoric or historic sites, buildings, structures, objects, or districts listed in, or eligible for listing in, the National Register of Historic Places [National Register]) as required by 36 CFR Part 800, the regulations implementing Section 106 of the National Historic Preservation Act of 1966, as amended (Section 106). This assessment also addresses the requirements of the California Environmental Quality Act (CEQA) (as amended January 1, 2009): Public Resources Code, Division 13 (Environmental Quality), Chapters 2.6 §21083.2 (Archaeological resources) and 2.6 §21084.1 (Historical resources); and the State CEQA Guidelines (as amended October 21, 2008), California Code of Regulations Title 14, Chapter 3, Article 5 §15064.5 (Determining the Significance of Impacts on Historical and Unique Archaeological Resources).

Figure 1: Project Location

SETTING

NATURAL SETTING

The natural setting of the project vicinity is presented based on the underlying theoretical assumption that humans and human societies are in continual interaction with the physical environment. Being an integral and major part of the ecological system, humans respond to the limits imposed by the environment by technological and behavioral adaptation and by altering the environment to produce more favorable conditions. Locations of archaeological sites are based on the constraints of these interactions, whether it be proximity to a particular resource, topographical restrictions, or shelter and protection. Sites will also contain an assemblage of artifacts and ecofacts consistent with the particular interaction.

Geology and Geomorphology

The project area is located on the western flank of the Peninsular Ranges geomorphic province. This region is characterized by a series of northwesterly trending mountain ranges separated by northwesterly trending valleys and subparallel faults branching from the San Andreas Fault. These ranges are essentially a series of fault-bounded blocks that dip gently to the west and have a steep eastern escarpment. The Peninsular Ranges extend from the tip of Baja California to the Transverse Range north of the Los Angeles Basin. The width of the Province varies from 30 to 225 miles (mi), with a maximum landbound width of 65 mi (Sharp 1976). The Los Angeles Basin and the island group (Santa Catalina, Santa Barbara, and the distinctly terraced San Clemente and San Nicolas Islands), together with the surrounding continental shelf (cut by deep submarine fault troughs), are included in this province (California Geologic Survey 2002). The rocks of the Peninsular Ranges are typically composed of Jurassic-age metasedimentary and metavolcanic as well as Cretaceous-age igneous rocks of the Southern California batholith. These older rock units are, in turn, capped by limited exposures of Cretaceous to recent marine and terrestrial sedimentary deposits composed of every sedimentary rock type from clay, silt, sand, gravel, and cobbles. The primary sediment source for the geologic formations in this province is the uplifted Southern California batholith.

Specifically, the project area lies south of the Santa Ana River within an area of very old surficial deposits. These are sediments that are slightly to well consolidated to indurated, and moderately to well dissected. Upper surfaces are capped by moderate to well-developed pedogenic soils. Specific geologic units within the project area are very old alluvial channel deposits (Qvoa) and Late Cenozoic sedimentary rocks in the Norco area (QTn). The very old alluvial channel deposits consist of gravel, sand, and silt; they are reddish-brown and well indurated; and the surfaces are well dissected. These deposits from the early Pleistocene underlie a large area between the Santa Ana River and Temescal Wash. The Late Cenozoic sedimentary rocks in the Norco area formed in the early Pleistocene and possibly the late Pliocene and consist of moderately indurated sandstone, conglomeratic sandstone, and conglomerate. In the Norco area, this unit includes locally derived clasts as well as clasts derived from the San Bernardino Mountains. These deposits are found in and west of Norco, on both sides of the Santa Ana River (Morton and Gray, Jr. No Date).

Ecology

The project area lies at the southern portion of the Fontana Plain-Calimesa Terraces ecological subsection (subsection M262Bj) within the Southern California Mountains and Valleys ecological section as defined by Miles and Goudey (1997). This section includes mountains, hills, and valleys of the Transverse Ranges and the Peninsular Ranges that are near the Pacific Ocean, but not bordering it. Much of the section is close enough to the Pacific Ocean for the climate to be moderately modified by marine influence. The climate of the area is classified as Dry Summer Subtropical, also known as Mediterranean. The wet winter/dry summer seasonality of precipitation is the defining characteristic of this climate (Ritter 2006). Between 1971 and 2000, the Corona weather station located approximately 2.3 mi southeast of the project area received annual precipitation of 12 inches. On average, 92 percent of this precipitation fell in the 6 months of November to April (United States Department of Commerce 2002).

The predominant natural plant communities in the Fontana Plain-Calimesa Terraces ecological subsection are the California sagebrush-California buckwheat series and Needlegrass grasslands (Miles and Goudey 1997). Prior to agriculture and development, the project area probably would have consisted predominantly of the California sagebrush-California buckwheat series in the higher elevations of the project area, with riparian forest in the lower portions where periodic inundation by the Santa Ana River would have occurred. The biotic character of this area has been completely altered from its natural setting by agriculture and modern land use. As stated in the biological report for the project prepared by Glenn Lukos Associates (2009) and a habitat assessment report prepared Thomas Leslie Corporation (2006), vegetation within the project area is currently limited to nonnative grasses and ruderal species, with riparian vegetation along the flood control channel.

Within the vicinity, prehistoric populations would have been able to hunt deer (*Odocoileus hemionus*), rabbit (*Sylvilagus* spp.), and other small mammals, rodents, and birds common to nearby waterways.

Paleoenvironment

Although the Holocene climate has in general been considerably more stable than the Late Pleistocene climate (Ditlevsen et al. 1996; GRIP 1993), California has experienced relatively rapid changes in climatic and environmental conditions over the past 10,000 years. The economic and settlement history of Southern California can largely be understood as a response to the challenges and opportunities posed by this environment. For example, many archaeologists have linked periods of poor environmental conditions to the emergence of complex social organization among some Southern Californian hunter-gatherer societies. Two variables, sea levels and the incidence of drought and flooding, played significant roles in determining the distribution and abundance of important coastal and inland resources.

The climate has generally become drier since the last Ice Age (Axelrod 1981; Heusser and Sirocko 1997). High resolution data sets attest to considerable environmental variability during the Late Holocene (e.g., deMenocal 2001; Jones and Kennett 1999; Kennett and Kennett 2000; Larson and Michaelson 1989). Alternations between wetter and drier periods occurred during the last 750 years, with intervals lasting about 40 to 160 years on average (Ingram et al. 1996). The occasional appearance of ephemeral lakes in playas of the Mohave River basin attest to periods of very stormy

weather and flooding (Enzel and Wells 1997) in Southern California. The climate was generally dry between AD 500 and 800, between AD 980 and 1300, and between AD 1650 and 1750 (Boxt et al. 1999; Larson and Michaelson 1989; Stine 1994). Severe droughts probably afflicted Southern California around AD 1000 to 1100 and AD 1250 to 1300 (deMenocal 2001; Stine 1994).

The project area is located within the floodplain of the Santa Ana River that in 1969 the U.S. Army Corps of Engineers declared to be the greatest flood threat west of the Mississippi River. The Santa Ana River has historically caused significant floods in 1810, 1825, 1862, 1916, 1938, and 1969 (City of Santa Ana Santa Ana River Task Force 2006). Throughout prehistory, periodic drought and flooding would have been a common but unpredictable feature of life within the watershed of the Santa Ana River. Such events would disrupt ordinary riparian flora and fauna.

Current Setting

The project area currently consists of undeveloped plowed fields containing ruderal vegetation in Parcels 1, 2, and 3 bisected by a Riverside County flood control channel containing riparian vegetation. The northern portion of the project area, Parcel 4, is developed with a strip mall and associated paved areas.

CULTURAL

Prehistory

Of the many chronological sequences proposed for southern California, two primary regional syntheses are commonly used for the southern California region in the archaeological literature. The first, advanced by Wallace in 1955, defines four cultural horizons, each with characteristic local variations: Early Horizon, Milling Stone, Intermediate, and Late Prehistoric. Employing a more ecological approach, Warren (1968) defined five periods in southern California prehistory: Lake Mojave, Pinto, Gypsum, Saratoga Springs, and Protohistoric. Warren viewed cultural continuity and change in terms of various significant environmental shifts, defining the cultural ecological approach for archaeological research of the California deserts and coast. Many changes in settlement pattern and subsistence focus are viewed as cultural adaptations to a changing environment, beginning with the gradual environmental warming in the late Pleistocene, the desiccation of the desert lakes during the early Holocene, the short return to pluvial conditions during the middle Holocene, and the general warming and drying trend, with periodic reversals, that continues to this day.

Ethnography

The Late Prehistoric Horizon ended abruptly when Franciscan friars and Spanish soldiers began establishing mission outposts along the California coast. At that time, the project area was occupied by the Gabrielino Indians. Gabrielino refers to the Shoshonean (Takic) speaking Native Americans who lived throughout Los Angeles, western San Bernardino and Riverside, and northern Orange Counties, and who were historically affiliated with Mission San Gabriel Archangel. These Shoshonean people, however, called themselves *Tong-va* (Johnson 1962).

The Gabrielino were hunters and gatherers who used both inland and coastal food resources. They caught and collected seasonally occurring food resources and evolved a semi-sedentary lifestyle, living in permanent and semi-permanent villages along inland watercourses and coastal estuaries. These villages took advantage of the varied resources available at such locales. Seasonally, as foods became available, the Gabrielino moved to temporary gathering camps and collected plant foods such as acorns, buckwheat, chia, berries, or fruits. They also periodically established camps along the coast or at estuaries to gather shellfish or to hunt waterfowl (Hudson 1971).

The Gabrielino lived in small, semi-permanent villages, which were the focus of family life. Patrilineally linked extended families lived within each village (Kroeber 1976; Johnson 1962; Bean and Smith 1978). These kin groups were affiliated in several village clans. Both the clans and the villages were apparently exogamous, as Mission records suggest that after her marriage a woman resided at her husband's village.

Gabrielino villages were politically independent, even when marriage ties existed. The village was administered by a headman who inherited his position from his father. Shamans guided religious and medical activities, and group hunting or fishing was supervised by individual male specialists.

An active and elaborate Gabrielino ritual system was present when the Spanish padres arrived to establish Mission San Gabriel. Rituals included individual rites of passage, village rites, and participation in the widespread *Chingichngish* cult. The cult of the culture hero, *Chingichngish*, was observed and recorded by Franciscan Friar Geronimo Boscana while he resided at Missions San Juan Capistrano and San Luis Rey (Harrington 1934; Hanna 1978).

History

For the bulk of the Spanish-Mexican period in California history, the entire San Bernardino Valley, including the project vicinity, was considered a part of the land holdings of Mission San Gabriel. In the 1830s–1840s, during secularization of the mission system, the Mexican authorities in Alta California made a number of large land grants on former mission lands in the valley. The project area is within the eastern portion of the land grant of *Rancho La Sierra-Yorba*. Don Bernardo Yorba was the most prosperous and well known of the four sons of Jose Yorba. Jose Yorba had been a soldier with the Portola expedition of 1769, and Juan Peralta was his nephew. *Rancho Santiago de Santa Ana*, encompassing 62,500 ac, was granted to Jose Yorba and Juan Peralta in 1801 by the Spanish government. This was the only Spanish grant in what is now Orange County, and was the first and largest of all the grants in Orange County. Don Bernardo Yorba was granted *Rancho Canon de Santa Ana*, encompassing 13,329 ac, in 1834 by Governor Figueroa. In 1846, Governor Pico granted Don Bernardo Yorba the 17,787 ac *Rancho La Sierra-Yorba*, located adjacent to the east of *Rancho Canon de Santa Ana*. (Shumway 1988). Although some of the property in the area was originally planted in grain and supported gardens, most of the property was devoted to cattle ranching. Cattle ranching was a highly profitable enterprise for several years during the Gold Rush due to the massive influx of immigrants (Cleland 1951:102–108; Liebeck 1990:2, 3).

Following the end of hostilities between Don Pio Pico, the last Mexican Governor of California, and the United States in January of 1847, the United States officially obtained California from Mexico through the Treaty of Guadalupe Hidalgo on February 2, 1848 (Cleland 1962:xiii). Thus, the American Period begins in 1848. In 1850, California was accepted into the Union of the United States primarily due to the population increase created by the Gold Rush of 1849.

Norco. The following history of Norco is adapted from "The History of Norco, California" (Bitetti 2009).

The City of Norco encompasses approximately 14 square mi in western Riverside County and is named for North Corona or North Corona Land Company, as it was originally referred to by Rex B. Clark, founder of the City. In the late 1920s, Clark purchased approximately 5,000 ac, hoping to subdivide it into land for chicken farmers; his original plans called for leasing the land to farmers on 8-year leases.

The discovery of underground mineral springs inspired Clark to build the luxurious Norconian Club Resort. The resort was a favorite spot of celebrities in the 1920s and 1930s. It was built on 900 ac in the center of town and included a 55 ac lake, a casino, Olympic-size swimming pools, mineral baths, a golf course, tennis courts, and a private airstrip. The Great Depression ruined demand for the resort, and in 1941 Clark sold the land and buildings to the federal government. During World War II, the once-regal hotel was used as a naval hospital. In 1962, the federal government transferred a portion of the property to the State of California for use as a correctional facility for narcotics offenders. Currently, the United States Naval Surface Warfare Center, Corona Division, is located on a portion of the former property.

Norco is an equestrian-friendly community and is one of the few California cities where horses are considered alternate modes of transportation. The City has over 95 mi of equestrian trails and 400 ac of parkland; most business establishments have a hitching post located near the entrance.

METHODS

ARCHIVAL RESEARCH

A records search was completed on June 15, 2008, at the EIC, located at the University of California, Riverside; it included a review of all recorded historic and prehistoric archaeological sites within a 0.5 mi radius of the project area, as well as a review of known cultural resource survey and excavation reports. In addition, the California State Historic Resources Inventory, which includes the National Register, California Historical Landmarks, California Points of Historical Interest, and various local historical registers were examined. LSA also examined aerial photographs to determine the age of the buildings on Parcel 4 (National Environmental Title Research, LLC 2009).

FIELD SURVEY

On June 23, 2009, LSA Archaeologist Phil Fulton conducted a pedestrian survey of Parcels 1, 2, and 3, encompassing 6.37 ac within the overall 7.26 ac project area. Parcel 4 was not surveyed, as it is developed with commercial properties, and the ground surface is entirely obscured by pavement and buildings. Parcels 1, 2, and 3 were intensively examined by walking pedestrian transects at approximate 5-meter intervals. Since subsurface excavations were not proposed as part of this study, observation of the subsurface was limited to graded cuts, banks of the flood control channel, and rodent burrows.

REPORT OF FINDINGS

ARCHIVAL RESEARCH

Results of the records and literature search indicated that 13 cultural resource studies have occurred within the 0.5 mi records search radius. Of these, one previous study included a 0.25 ac portion of Parcel 4, the currently developed portion of the project area. The undeveloped portion of the project area, Parcels 1, 2, and 3, has not been previously surveyed. Five prehistoric archaeological sites have been recorded within the 0.5 mi records search radius. These sites are described below, and the records search results letter is included in Appendix A. The examination of aerial photographs resulted in a determination that the buildings on Parcel 4 were constructed sometime between 1967 and 1980 (National Environmental Title Research, LLC 2009). Thus, the buildings are not yet 50 years old and therefore do not require historical significance evaluation per Section 106.

CA-RIV-1040

CA-RIV-1040 is plotted approximately 0.4 mi south of the project area. The site is described as an extensive quarry/workshop area that also contains a minor milling stone component. Artifacts observed included 10 basaltic cores and nodules; 3 to 5 basaltic scrapers/bifaces; at least 80 worked, unworked, and utilized flakes of basalt and jasper; 2 granite manos; and 2 granite metate fragments. No midden was observed at the site (Hall 1975). By 1980 the site was reported to be completely destroyed by grading operations for expansion of a nearby housing tract (Schwartz 1980).

CA-RIV-1229

CA-RIV-1229 is plotted approximately 0.47 mi northeast of the project area. The site was originally described as a series of bedrock metates covering approximately 0.25 mi along an exposed granite spur (Eastvold 1977). Feickert and Bjornsen (1980a) divided the widely separated and discrete milling stations into four individual loci that were assigned individual site numbers (CA-RIV-1229, CA-RIV-2315, CA-RIV-2316, and CA-RIV-2317) by the EIC. CA-RIV-1229 was described as a single outcrop containing one possible grinding slick (Feickert and Bjornsen 1980a; McCarthy 1985a; Drover 1987a).

CA-RIV-2315

CA-RIV-2315 is also plotted approximately 0.47 mi northeast of the project area. Feickert and Bjornsen (1980b) describe the site as consisting of two bedrock metates on two granite outcrops approximately 50 meters apart. Drover (1987b) describes the site as two elongated boulders, one of which contains a milling slick and one containing a possible milling slick.

CA-RIV-2316

CA-RIV-2316 is plotted approximately 0.38 mi northeast of the project area. Feickert and Bjornsen (1980c) describe the site as consisting of eight bedrock metates on a continuous granitic bedrock exposure. McCarthy (1985b) describes the site as five milling slicks on a low-relief granite exposure. Drover (1987c) describes the site as a centralized bedrock outcrop containing seven grinding slick areas.

CA-RIV-3002

CA-RIV-3002 is plotted approximately 0.28 mi north of the project area. The site is described as a single milling slick on an isolated boulder (McCarthy 1985c; Drover 1987d).

FIELD SURVEY

No historic or prehistoric cultural material was observed during the survey. Modern debris and concrete rubble were scattered over much of the lower-elevation portions of the project area where there is easy access from adjacent roadways for illicit dumping. Parcels 1, 2, and 3 consist of undeveloped land that had been recently plowed at the time of the survey. Topographic features within the project area consist of a rolling hill within Parcel 2 at the project's southern end. The hill is truncated by a vertical cut slope along River Road. From Parcel 2 the ground slopes gently to the north across Parcel 1 to a Riverside County flood control channel. North of the channel in Parcel 3, the ground slopes gently to the south from Second Street to the channel. Ground visibility within the project area at the time of the survey was generally excellent (80–100 percent), as the property had been recently plowed. Within the flood control channel, dense riparian vegetation was present. The sidewalls of the flood control channel and the cut along River Road provided an excellent opportunity to observe the subsurface deposits within those portions of the project area. No bedrock outcrops that could have been used as bedrock milling features are located within the project area. The project area has only been minimally disturbed by plowing, vehicle traffic, limited grading, and debris dumping.

Photographs of the project area are included in Appendix B.

RECOMMENDATIONS AND MITIGATION MEASURES

No cultural resources were identified within the project area by the records search or during the field survey. Ground visibility at the time of the survey was excellent, as the area had been recently plowed. Given the excellent ground visibility and the fact that periodic plowing of the property would likely have exposed evidence of a buried archaeological site, the presence of previously unidentified intact subsurface cultural deposits within the project area is unlikely. Therefore, LSA recommends that no further cultural resource management of the project area (such as construction monitoring) is necessary.

In the event that archaeological materials are encountered during construction, a qualified archaeologist should be contacted in order to determine the appropriate treatment of the discovery.

In the event human remains are encountered, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to PRC Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are determined to be Native American, the County Coroner will notify the NAHC, which will determine and notify an MLD. With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 48 hours of notification by the NAHC. The MLD will have the opportunity to offer recommendations for the disposition of the remains.

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APPENDIX A
RECORDS SEARCH RESULTS

APPENDIX B
PROJECT PHOTOGRAPHS

Appendix B

Jurisdictional Delineation Report

**U.S. ARMY CORPS OF ENGINEERS
and
CALIFORNIA DEPARTMENT OF FISH AND GAME
JURISDICTIONAL DELINEATION
FOR:**

**THE NORTH NORCO CHANNEL
FLOOD CONTROL IMPROVEMENT PROJECT
LOCATED IN THE CITY OF NORCO
RIVERSIDE COUNTY, CALIFORNIA**

July 21, 2010

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I. SUMMARY

This letter report summarizes our findings of U.S. Army Corps of Engineers (Corps), Santa Ana Regional Water Quality Control Board (Regional Board) and California Department of Fish and Game (CDFG) jurisdiction for the above-referenced property.¹

The North Norco Channel Flood Control Improvement Project (Project) contains 1.10 acres of land and consists of the improvement to an approximate 676 linear-foot section of the North Norco Channel (Channel) from River Road to 676 linear feet to the east. The improvements to the Channel are required by the Riverside County Flood Control and Water Conservation District (Flood Control) in order to provide local residents with 100-year flood control protection and public safety through returning the existing flood control channel to its original design capacity.

The Project is located in the City of Norco, Riverside County, California [Exhibit 1] and contains an unimproved section of the Channel. The Project site contains no blue-line drainages (as depicted on the U.S. Geological Survey (USGS) topographic map Corona North, California [dated 1967 and photorevised in 1988]) [Exhibit 2]. On October 11, 2007 and September 30, 2008, regulatory specialists of Glenn Lukos Associates, Inc. (GLA) examined the Project site to determine the limits of (1) Corps jurisdiction pursuant to Section 404 of the Clean Water Act (CWA), (2) CDFG jurisdiction pursuant to Division 2, Chapter 6, Section 1600 of the Fish and Game Code, and (3) Regional Board jurisdiction pursuant to Section 401 of the CWA and Section 13260 of the California Water Code (CWC). Enclosed is a 100-scale map [Exhibit 3] that depicts the areas of Corps and CDFG jurisdiction. Photographs to document the topography, vegetative communities, and areas evaluated for CDFG and Corps jurisdiction are provided as Exhibit 4. A Soils Map of the Project site is enclosed as Exhibit 5. Wetland data sheets are attached as Appendix A. A copy of the Corps' approved Preliminary Jurisdictional Determination form is attached as Appendix B.

The Project site contains one drainage feature (the North Norco Flood Control Channel), known as the Channel, which supports a total of 0.22 acre of Corps jurisdictional waters, of which 0.20 acre consists of jurisdictional wetlands. A total of 676 linear feet of streambed is present. The Channel mainly supports nuisance and storm water flows, as well as limited natural flows, from the upstream watershed. Since flows within the Channel appear relatively constant, the Channel is a Relatively Permanent Water (RPW). The Channel is a direct tributary of Temescal Creek (also a RPW), which is a tributary of the Santa Ana River (RPW), which flows into the Pacific Ocean (a Traditionally Navigable Water [TNW]). Since the Channel is a RPW, which connects directly or indirectly to a TNW, it would be subject to Corps jurisdiction pursuant to Section 404 of the CWA.

The Project, as proposed, will result in permanent impacts to 0.22 acre of Corps jurisdiction, of which 0.20 acre consists of jurisdictional wetlands. Permanent impacts to 676 linear feet of streambed will occur.

¹ This report is based upon using the most up-to-date regulations and written policy and guidance from the regulatory agencies.

CDFG jurisdiction at the site totals 0.31 acre, of which 0.29 acre consists of vegetated riparian habitat, and 0.02 acre consists of un-vegetated streambed associated with the vegetated riparian habitat. A total of 676 linear feet of streambed is present. The Project, as proposed, will result in permanent impacts to 0.31 acre of CDFG jurisdiction, of which 0.29 acre consists of vegetated riparian habitat. Permanent impacts to 676 linear feet of streambed will occur.

A July 1997 Memorandum of Understanding (MOU) between CDFG and Flood Control titled "Riverside County Flood Control and Water Conservation District and California Department of Fish and Game Memorandum of Understanding Maintenance Activities in Improved Channels and Detention/Retention/and/or Debris Basins" provides that Flood Control may undertake routine maintenance activities, such as vegetation removal, from various improved channels and basins, and that such maintenance shall not require a streambed alteration agreement between the Flood Control and CDFG. The Project site is subject to this MOU. Additionally, although the MOU states that Flood Control's maintenance activities shall not require a streambed alteration agreement, we have been informed that Flood Control and the CDFG are in the process of executing a Master Section 1605 Streambed Alteration Agreement for further long-term maintenance activities within the Channel.

Regional Board jurisdiction at the site totals 0.22 acre, of which 0.20 acre consists of jurisdictional wetlands. The Project, as proposed, will result in permanent impacts to 0.22 acre of Regional Board jurisdiction, of which 0.20 acre consists of jurisdictional wetlands. Permanent impacts to 676 linear feet of streambed will occur.

II. METHODOLOGY

Prior to beginning the field delineation a 100-scale color aerial photograph, a 100-scale topographic base map of the property, and the previously cited USGS topographic map were examined to determine the locations of potential areas of Corps/CDFG jurisdiction. Suspected jurisdictional areas were field checked for the presence of definable channels and/or wetland vegetation, soils and hydrology. Suspected wetland habitats on the site were evaluated using the methodology set forth in the U.S. Army Corps of Engineers 1987 Wetland Delineation Manual² (Wetland Manual) and the 2006 Interim Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Supplement (Arid West Supplement)³. While in the field the limits of CDFG jurisdiction were recorded onto a 100-scale color aerial photograph using visible landmarks. Other data were recorded onto wetland data sheets.

The Soil Conservation Service (SCS)⁴ has mapped the following two soil series as occurring in the general vicinity of the project site. A soils map is provided as Exhibit 5.

² Environmental Laboratory. 1987. Corps of Engineers Wetlands Delineation Manual, Technical Report Y-87-1, U.S. Army Engineer Waterways Experimental Station, Vicksburg, Mississippi.

³ U.S. Army Corps of Engineers. 2006. Interim Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Supplement. Ed. J.S. Wakeley, R.W. Lichevar, and C.V. Noble. ERDC/EL TR-06-16. Vicksburg, MS: U.S. Army Engineer Research and Development Center.

⁴ SCS is now known as the National Resource Conservation Service or NRCS.

Greenfield Series

The Greenfield series consists of well-drained soils located on alluvial fans and terraces. Slopes range from 0 to 25 percent. These soils formed in alluvium consisting mostly of granitic materials. Vegetation typically associated with the Greenfield series predominately includes annual grasses but also includes forbs, sumac, chamise and scattered oak trees. In a typical profile, the surface layer is brown sandy loam (10 YR3/3 when moist) approximately 26 inches in depth. Underlying this is brown sandy loam and pale brown loam (10 YR3/3 when moist) to a depth of 60 inches. The Greenfield series are commonly used for dryland grain and pasture, irrigated truck crops, alfalfa, potatoes, citrus, peaches and for homesites. Greenfield soils types that occur within the Project site include the following:

- *Greenfield sandy loam, 2-8 Percent Slopes, Eroded (GyC2)*

Placentia Series

The Placentia series consists of moderately well drained soils on alluvial fans and terraces. Slopes range from 0 to 25 percent. These soils formed in alluvium consisting mainly of granitic materials. Vegetation typically associated with the Placentia series predominately includes annual grasses, forbs, and chamise. In a typical soil profile, the surface layer is brown and pale brown fine sandy loam (10 YR4/3 when moist) approximately 18 inches in depth. The upper subsoil consists of brown heavy clay loam (7.5 YR3/2 when moist) approximately 21 inches thick. The lower subsoil consists of brown sandy clay loam (7.5 YR when moist) approximately 18 inches thick. The substratum consists of sandy, gravelly, or cobbly alluvium of granitic origin. The Placentia series soils are commonly used for dryland pasture and grain, irrigated permanent pasture, and for non-farm purposes. Placentia soil types that occur within the Project Site include the following:

- *Placentia fine sandy loam, 0-5 Percent Slopes (PIB)*
- *Placentia fine sandy loam, 5-15 Percent Slopes (PID)*

None of these soil units are identified as hydric in the SCS's publication, Hydric Soils of the United States⁵, or the local hydric soils list for western Riverside Area, Riverside County, California.

⁵ United States Department of Agriculture, Soil Conservation Service. 1991. Hydric Soils of the United States, 3rd Edition, Miscellaneous Publication Number 1491. (In cooperation with the National Technical Committee for Hydric Soils.)

III. JURISDICTION

A. Army Corps of Engineers

Pursuant to Section 404 of the CWA, the Corps regulates the discharge of dredged and/or fill material into waters of the United States. The term "waters of the United States" is defined in Corps regulations at 33 CFR Part 328.3(a) as:

- (1) *All waters which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters, which are subject to the ebb and flow of the tide;*
- (2) *All interstate waters including interstate wetlands;*
- (3) *All other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect foreign commerce including any such waters:*
 - (i) *Which are or could be used by interstate or foreign travelers for recreational or other purposes; or*
 - (ii) *From which fish or shell fish are or could be taken and sold in interstate or foreign commerce; or*
 - (iii) *Which are used or could be used for industrial purpose by industries in interstate commerce...*
- (4) *All impoundments of waters otherwise defined as waters of the United States under the definition;*
- (5) *Tributaries of waters identified in paragraphs (a) (1)-(4) of this section;*
- (6) *The territorial seas;*
- (7) *Wetlands adjacent to waters (other than waters that are themselves wetlands) identified in paragraphs (a) (1)-(6) of this section.*

Waste treatment systems, including treatment ponds or lagoons designed to meet the requirements of CWA (other than cooling ponds as defined in 40 CFR 123.11(m) which also meet the criteria of this definition) are not waters of the United States.

- (8) *Waters of the United States do not include prior converted cropland.⁶ Notwithstanding the determination of an area's status as prior converted cropland by any other federal agency, for the purposes of the Clean Water Act, the final authority regarding Clean Water Act jurisdiction remains with the EPA.*

⁶ The term "prior converted cropland" is defined in the Corps' Regulatory Guidance Letter 90-7 (dated September 26, 1990) as "wetlands which were both manipulated (drained or otherwise physically altered to remove excess water from the land) and cropped before 23 December 1985, to the extent that they no longer exhibit important wetland values. Specifically, prior converted cropland is inundated for no more than 14 consecutive days during the growing season...." [Emphasis added.]

In the absence of wetlands, the limits of Corps jurisdiction in non-tidal waters, such as intermittent streams, extend to the OHWM which is defined at 33 CFR 328.3(e) as:

...that line on the shore established by the fluctuation of water and indicated by physical characteristics such as clear, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas.

1. Solid Waste Agency of Northern Cook County v. United States Army Corps of Engineers, et al.

Pursuant to Article I, Section 8 of the U.S. Constitution, federal regulatory authority extends only to activities that affect interstate commerce. In the early 1980s the Corps interpreted the interstate commerce requirement in a manner that restricted Corps jurisdiction on isolated (intrastate) waters. On September 12, 1985, EPA asserted that Corps jurisdiction extended to isolated waters that are used or could be used by migratory birds or endangered species, and the definition of "waters of the United States" in Corps regulations was modified as quoted above from 33 CFR 328.3(a).

On January 9, 2001, the Supreme Court of the United States issued a ruling on *Solid Waste Agency of Northern Cook County v. United States Army Corps of Engineers, et al.* (SWANCC). In this case the Court was asked whether use of an isolated, intrastate pond by migratory birds is a sufficient interstate commerce connection to bring the pond into federal jurisdiction of Section 404 of the CWA.

The written opinion notes that the court's previous support of the Corps' expansion of jurisdiction beyond navigable waters (*United States v. Riverside Bayview Homes, Inc.*) was for a wetland that abutted a navigable water and that the court did not express any opinion on the question of the authority of the Corps to regulate wetlands that are not adjacent to bodies of open water. The current opinion goes on to state:

In order to rule for the respondents here, we would have to hold that the jurisdiction of the Corps extends to ponds that are not adjacent to open water. We conclude that the text of the statute will not allow this.

Therefore, we believe that the court's opinion goes beyond the migratory bird issue and says that no isolated, intrastate water is subject to the provisions of Section 404(a) of the CWA (regardless of any interstate commerce connection). However, the Corps and EPA have issued a joint memorandum, which states that they are interpreting the ruling to address only the migratory bird issue and leaving the other interstate commerce clause nexuses intact.

2. Rapanos v. United States and Carabell v. United States

On June 5, 2007, the U.S. Environmental Protection Agency (EPA) and Corps issued joint guidance that addresses the scope of jurisdiction pursuant to the CWA in light of the Supreme

Court's decision in the consolidated cases *Rapanos v. United States* and *Carabell v. United States* ("Rapanos"). The June 5, 2007 joint Rapanos guidance was re-affirmed in a Regulatory Guidance Letter issued by the Corps on December 2, 2008. The chart below was provided in the joint EPA/Corps guidance.

For project sites that include waters other than Traditional Navigable Waters (TNWs) and/or their adjacent wetlands or Relatively Permanent Waters (RPWs) tributary to TNWs and/or their adjacent wetlands as set forth in the chart below, the Corps must apply the significant nexus standard, that includes the data set forth in the *Approved Jurisdictional Determination Form*. For "isolated" waters or wetlands, the joint guidance also requires an evaluation by the Corps and EPA to determine whether other interstate commerce clause nexuses, not addressed in the SWANCC decision are associated with isolated features on project sites for which a jurisdictional determination is being sought from the Corps.

The agencies will assert jurisdiction over the following waters:

- Traditional navigable waters
- Wetlands adjacent to traditional navigable waters
- Non-navigable tributaries of traditional navigable waters that are relatively permanent where the tributaries typically flow year-round or have continuous flow at least seasonally (e.g., typically three months)
- Wetlands that directly abut such tributaries

The agencies will decide jurisdiction over the following waters based on a fact-specific analysis to determine whether they have a significant nexus with a traditional navigable water:

- Non-navigable tributaries that are not relatively permanent
- Wetlands adjacent to non-navigable tributaries that are not relatively permanent
- Wetlands adjacent to but that do not directly abut a relatively permanent non-navigable tributary

The agencies generally will not assert jurisdiction over the following features:

- Swales or erosional features (e.g., gullies, small washes characterized by low volume, infrequent or short duration flow)
- Ditches (including roadside ditches) excavated wholly in and draining only uplands and that do not carry a relatively permanent flow of water

The agencies will apply the significant nexus standard as follows:

- A significant nexus analysis will assess the flow characteristics and functions of the tributary itself and the functions performed by all wetlands adjacent to the tributary to determine if they significantly affect the chemical, physical and biological integrity of downstream traditional navigable waters
- Significant nexus includes consideration of hydrologic and ecologic factors

3. Corps Preliminary Jurisdictional Determination

A *Corps Preliminary Jurisdictional Determination Form* may be used to concede Corps jurisdiction where all streambeds within the Project area are considered Corps jurisdictional waters. The Project would be able to move forward pursuant to Corps RGL 08-02, issued on June 26, 2008, which allows the Corps to issue preliminary jurisdictional determinations (Preliminary JD) for a project. A Preliminary JD allows you to move forward with the project by setting aside/voluntarily waiving questions regarding CWA jurisdiction over drainages on site in the interest of allowing you to expeditiously obtain a Section 404 Permit, when it is in your best interest to do so.

As stated in RGL 08-02:

While a landowner, permit applicant, or other affected party can elect to request and obtain an approved JD, he or she can also decline to request an approved JD, and instead obtain a Corps individual or general permit authorization based on either a preliminary JD, or, in appropriate circumstances (such as authorizations by non-reporting nationwide general permits), no JD whatsoever. The Corps will determine what form of JD is appropriate for any particular circumstance based on all the relevant factors, to include, but not limited to, the applicant's preference, what kind of permit authorization is being used (individual permit versus general permit), and the nature of the proposed activity needing authorization.

The Corps typically completes Preliminary JDs within 60 days of receipt of the request for such a determination. If the Corps project manager cannot complete the Preliminary JD within the 60-day timeframe, they must provide their supervisor, who would also provide the applicant, with a schedule to complete the determination (i.e., unlike the Rapanos significant nexus guidelines, there is a specific timeframe to complete the Preliminary JD and move forward with your project, without uncertainty, and the EPA will not be involved with the Preliminary JD process as the Corps is not required to coordinate with the EPA to review Preliminary JDs).

4. Wetland Definition Pursuant to Section 404 of the Clean Water Act

The term "wetlands" (a subset of "waters of the United States") is defined at 33 CFR 328.3(b) as "those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support...a prevalence of vegetation typically adapted for life in saturated soil conditions." In 1987 the Corps published a manual to guide its field personnel in determining jurisdictional wetland boundaries. The methodology set forth in the 1987 Wetland Delineation Manual and the Arid West Supplement generally require that, in order to be considered a wetland, the vegetation, soils, and hydrology of an area exhibit at least minimal hydric characteristics. While the manual and Supplement provide great detail in methodology and allow for varying special conditions, a wetland should normally meet each of the following three criteria:

- more than 50 percent of the dominant plant species at the site must be typical of wetlands (i.e., rated as facultative or wetter in the National List of Plant Species that Occur in Wetlands⁷);
- soils must exhibit physical and/or chemical characteristics indicative of permanent or periodic saturation (e.g., a gleyed color, or mottles with a matrix of low chroma indicating a relatively consistent fluctuation between aerobic and anaerobic conditions); and
- Whereas the 1987 Manual requires that hydrologic characteristics indicate that the ground is saturated to within 12 inches of the surface for at least five percent of the growing season during a normal rainfall year, the Arid West Supplement does not include a quantitative criteria with the exception for areas with “problematic hydrophytic vegetation”, which require a minimum of 14 days of ponding to be considered a wetland.

B. Regional Water Quality Control Board

Subsequent to the SWANCC decision, the Chief Counsel for the State Water Resources Control Board issued a memorandum that addressed the effects of the SWANCC decision on the Section 401 Water Quality Certification Program.⁸ The memorandum states:

California’s right and duty to evaluate certification requests under section 401 is pendant to (or dependent upon) a valid application for a section 404 permit from the Corps, or another application for a federal license or permit. Thus if the Corps determines that the water body in question is not subject to regulation under the COE’s 404 program, for instance, no application for 401 certification will be required...

The SWANCC decision does not affect the Porter Cologne authorities to regulate discharges to isolated, non-navigable waters of the states....

Water Code section 13260 requires “any person discharging waste, or proposing to discharge waste, within any region that could affect the waters of the state to file a report of discharge (an application for waste discharge requirements).” (Water Code § 13260(a)(1) (emphasis added).) The term “waters of the state” is defined as “any surface water or groundwater, including saline waters, within the boundaries of the state.” (Water Code § 13050(e).) The U.S. Supreme Court’s ruling in SWANCC has no bearing on the Porter-Cologne definition. While all waters of the United States that are within the borders of California are also waters of the state, the converse is not true—waters of the United States is a subset of waters of the state. Thus, since Porter-Cologne was enacted California always had and retains authority to regulate discharges of waste into any waters

⁷ Reed, P.B., Jr. 1988. National List of Plant Species that Occur in Wetlands. U.S. Fish and Wildlife Service Biological Report 88(26.10).

⁸ Wilson, Craig M. January 25, 2001. Memorandum addressed to State Board Members and Regional Board Executive Officers.

of the state, regardless of whether the COE has concurrent jurisdiction under section 404. The fact that often Regional Boards opted to regulate discharges to, e.g., vernal pools, through the 401 program in lieu of or in addition to issuing waste discharge requirements (or waivers thereof) does not preclude the regions from issuing WDRs (or waivers of WDRs) in the absence of a request for 401 certification....

In this memorandum the SWRCB's Chief Counsel has made the clear assumption that fill material to be discharged into isolated waters of the United States is to be considered equivalent to "waste" and therefore subject to the authority of the Porter Cologne Water Quality Act. However, while providing a recounting of the Act's definition of waters of the United States, this memorandum fails to also reference the Act's own definition of waste:

"Waste" includes sewage and any and all other waste substances, liquid, solid, gaseous, or radioactive, associated with human habitation, or of human or animal origin, or from any producing, manufacturing, or processing operation, including waste placed within containers of whatever nature prior to, and for purposes of, disposal.

The lack of inclusion of a reference to "fill material," "dirt," "earth" or other similar terms in the Act's definition of "waste," or elsewhere in the Act, suggests that no such association was intended. Thus, the Chief Counsel's memorandum signals that the SWRCB is attempting to retain jurisdiction over discharge of fill material into isolated waters of the United States by administratively expanding the definition of "waste" to include "fill material" without actually seeking amendment of the Act's definition of waste (an amendment would require action by the state legislature). Consequently, discharge of fill material into waters of the State not subject to the jurisdiction of the Corps pursuant to Section 404 of the CWA may require authorization pursuant to the Porter Cologne Act through application for waste discharge requirements (WDRs) or through waiver of WDRs, despite the lack of a clear regulatory imperative.

C. California Department of Fish and Game

Pursuant to Division 2, Chapter 6, Sections 1600-1603 of the California Fish and Game Code, the CDFG regulates all diversions, obstructions, or changes to the natural flow or bed, channel, or bank of any river, stream, or lake, which supports fish or wildlife.

CDFG defines a "stream" (including creeks and rivers) as "a body of water that flows at least periodically or intermittently through a bed or channel having banks and supports fish or other aquatic life. This includes watercourses having surface or subsurface flow that supports or has supported riparian vegetation." CDFG's definition of "lake" includes "natural lakes or man-made reservoirs."

CDFG jurisdiction within altered or artificial waterways is based upon the value of those waterways to fish and wildlife. CDFG Legal Advisor has prepared the following opinion:

- Natural waterways that have been subsequently modified and which have the potential to contain fish, aquatic insects and riparian vegetation will be treated like natural waterways...
- Artificial waterways that have acquired the physical attributes of natural stream courses and which have been viewed by the community as natural stream courses, should be treated by [CDFG] as natural waterways...
- Artificial waterways without the attributes of natural waterways should generally not be subject to Fish and Game Code provisions...

Thus, CDFG jurisdictional limits closely mirror those of the Corps. Exceptions are CDFG's exclusion of isolated wetlands (those not associated with a river, stream, or lake), the addition of artificial stock ponds and irrigation ditches constructed on uplands, and the addition of riparian habitat supported by a river, stream, or lake regardless of the riparian area's federal wetland status.

IV. RESULTS

GLA regulatory specialists conducted a jurisdictional delineation on October 11, 2007, after the CDFG authorized routine maintenance activities (i.e. vegetation thinning) within the Channel had occurred. On September 30, 2008, GLA updated the jurisdictional delineation, which occurred prior to routine maintenance activities within the Channel. The results used for this jurisdictional delineation report are based upon the results of the September 2008 jurisdictional delineation as it is GLA's professional opinion that the 2008 data represents the extent of jurisdiction within the Channel prior to any temporary impacts due to the maintenance activities authorized by the previously mentioned MOU.

A. Corps Jurisdiction

Corps jurisdiction associated with the Project totals approximately 0.22 acre, of which 0.20 acre consists of jurisdictional wetlands. The Project contains one drainage feature, which consists of an unimproved earthen bed and bank portion of the Channel. Since the Channel is an RPW which flows directly or indirectly into a TNW, it would be subject to Corps jurisdiction pursuant to Section 404 of the CWA. The Channel conveys flows from east to west for 676 feet before exiting the site beneath River Road. Ultimately, the Channel discharges into Temescal Creek adjacent to the North Norco Levee at the Rincon Street Bridge in the City of Corona (Corona). Indicators of an ordinary high water mark (OHWM) range between 9 and 17 feet and include the presence of litter and debris wracks, shelving, lines impressed upon the banks, and changes in soil characteristics. The Channel has an earthen bed and bank and supports riparian habitat and emergent wetlands.

The upstream portion of the Channel, located immediately east of the Project site, consists of a concrete-bottom, concrete-sided flood control channel for at least 1.75 miles between the Project and the Interstate 15 Freeway (I-15 Freeway). The downstream portion of the Channel, located immediately west of River Road, also consists of an improved, concrete-bottom, concrete-sided

channel between the Project boundary and 750 linear feet to the west adjacent to Country Club Park in Corona. A majority of the flows conveyed by the Channel consist of nuisance water, as well as limited natural flow, from the upstream watershed. Due to the presence of highly eroded banks and large debris racks above the OHWM, the Channel appears to convey high-volume, high velocity flows following significant storm events.

Four soil pits were excavated within the Channel and the accompanying wetland data sheets are enclosed as Appendix A. A Copy of the Corps' approved Preliminary Jurisdictional Determination Form is attached as Appendix B. The boundaries of Corps jurisdiction are depicted on the enclosed jurisdictional delineation map [Exhibit 3]. Photographs documenting the existing condition of the Channel are included as Exhibit 4.

Dominant vegetation associated with the Channel consists of barnyard grass (*Echinochloa crus-galli*, FACW), annual beard grass (*Polypogon monspeliensis*, FACW), Mexican sprangletop (*Leptochloa uninervia*, FACW), tall umbrella-sedge (*Cyperus eragrostis*, FACW), slender cattail (*Typha domingensis*, OBL), black willow (*Salix gooddingii*, OBL), willow-weed (*Polygonum lapathifolium*, OBL), tree tobacco (*Nicotiana glauca*, FAC), Mediterranean tamarisk (*Tamarix ramosissima*, FAC), valley red-stem (*Ammannia coccinea*, OBL), castor-bean (*Ricinus communis*, FACU) and eared crown-beard (*Verbesina encelioides*, FAC).

B. Regional Water Quality Control Board

The Channel was not determined to be an intrastate, isolated water outside of Corps jurisdiction, therefore, it does not need to be addressed separately pursuant to Section 13260 of the CWC.

C. CDFG Jurisdiction

CDFG jurisdiction associated with the Project totals approximately 0.31 acre, of which 0.29 acre consists of vegetated riparian habitat, and 0.02 acre consists of un-vegetated streambed associated with the vegetated riparian habitat. One drainage, known as the Channel, supports bed, bank, and channel, as well as vegetated riparian habitat. The Channel conveys flows from east to west for 676 feet before exiting the site beneath River Road. Ultimately, the Channel discharges into Temescal Creek adjacent to the North Norco Levee at the Rincon Street Bridge in Corona. Indicators of a high water mark (HWM) range between 9 and 17 feet and include the presence of bed, bank, channel, litter and debris wracks, shelving, lines impressed upon the banks, and changes in soil characteristics. The Channel supports an earthen bed and bank and contains both native and non-native riparian species.

The upstream portion of the Channel, located immediately east of the Project site, consists of a concrete-bottom, concrete-sided flood control channel for at least 1.75 miles between the Project and the I-15 Freeway. The downstream portion of the Channel, located immediately west of River Road, also consists of an improved, concrete-bottom, concrete-sided channel between the Project boundary and 750 linear feet to the west adjacent to Country Club Park in Corona. A majority of the flows conveyed by the Channel consist of nuisance water, as well as limited

natural flow, from the upstream watershed. Due to the presence of highly eroded banks and large debris racks, the Channel appears to convey high-volume, high velocity flows following significant storm events. The boundaries of CDFG jurisdiction associated with the Project are depicted on the enclosed map [Exhibit 3- Jurisdictional Delineation Map].

The dominant riparian vegetation associated with the Channel consists of barnyard grass (*Echinochloa crus-galli*), annual beard grass (*Polypogon monspeliensis*), Mexican sprangletop (*Leptochloa uninervia*), tall umbrella-sedge (*Cyperus eragrostis*), slender cattail (*Typha domingensis*), black willow (*Salix gooddingii*), willow-weed (*Polygonum lapathifolium*), tree tobacco (*Nicotiana glauca*), Mediterranean tamarisk (*Tamarix ramosissima*), valley red-stem (*Ammannia coccinea*), castor-bean (*Ricinus communis*), and eared crown-beard (*Verbesina encelioides*).

Due to the existence of the MOU, which has allowed vegetation clearing in the Channel in past years, as well as the Master Section 1605 Streambed Alteration Agreement, which is currently being negotiated, the functions and values of the riparian vegetation within the Channel are considered temporary in nature. Such routine maintenance, as is authorized within the Channel, is likely to occur annually in order to ensure that the flood control channel continues to provide the designated level of flood protection to which the facility was designed and constructed, to protect the public's investment, to prevent loss of life and property, and to comply with local ordinances and regulations.

V. IMPACT ANALYSIS

A. *Impacts to U.S. Army Corps of Engineers Jurisdiction*

Corps jurisdiction at the Project Site totals 0.22 acre, of which 0.20 acre consists of jurisdictional wetlands. The Project, as proposed, will result in permanent impacts to 0.20 acre of Corps jurisdiction, of which 0.20 acre consists of jurisdictional wetlands. Permanent impacts to 676 linear feet of streambed will occur.

B. *Impacts to California Department of Fish and Game Jurisdiction*

CDFG jurisdiction at the Project Site totals 0.31 acre, of which 0.29 acre consists of vegetated riparian habitat, and 0.02 acre consists of un-vegetated streambed associated with the vegetated riparian habitat. The Project, as proposed, will result in permanent impacts to 0.31 acre of CDFG jurisdiction, of which 0.29 acre consists of vegetated riparian habitat and 0.02 acre consists of un-vegetated streambed associated with the riparian habitat. Permanent impacts to 676 linear feet of streambed will occur.

C. *Impacts to Santa Ana Regional Water Quality Control Board Jurisdiction*

Regional Board jurisdiction at the site totals 0.22 acre, of which 0.20 acre consists of jurisdictional wetlands. The Project, as proposed, will result in permanent impacts to 0.22 acre of Regional Board jurisdiction, of which 0.20 acre consists of jurisdictional wetlands. Permanent impacts to 676 linear feet of streambed will occur.

VI. CONCLUSION

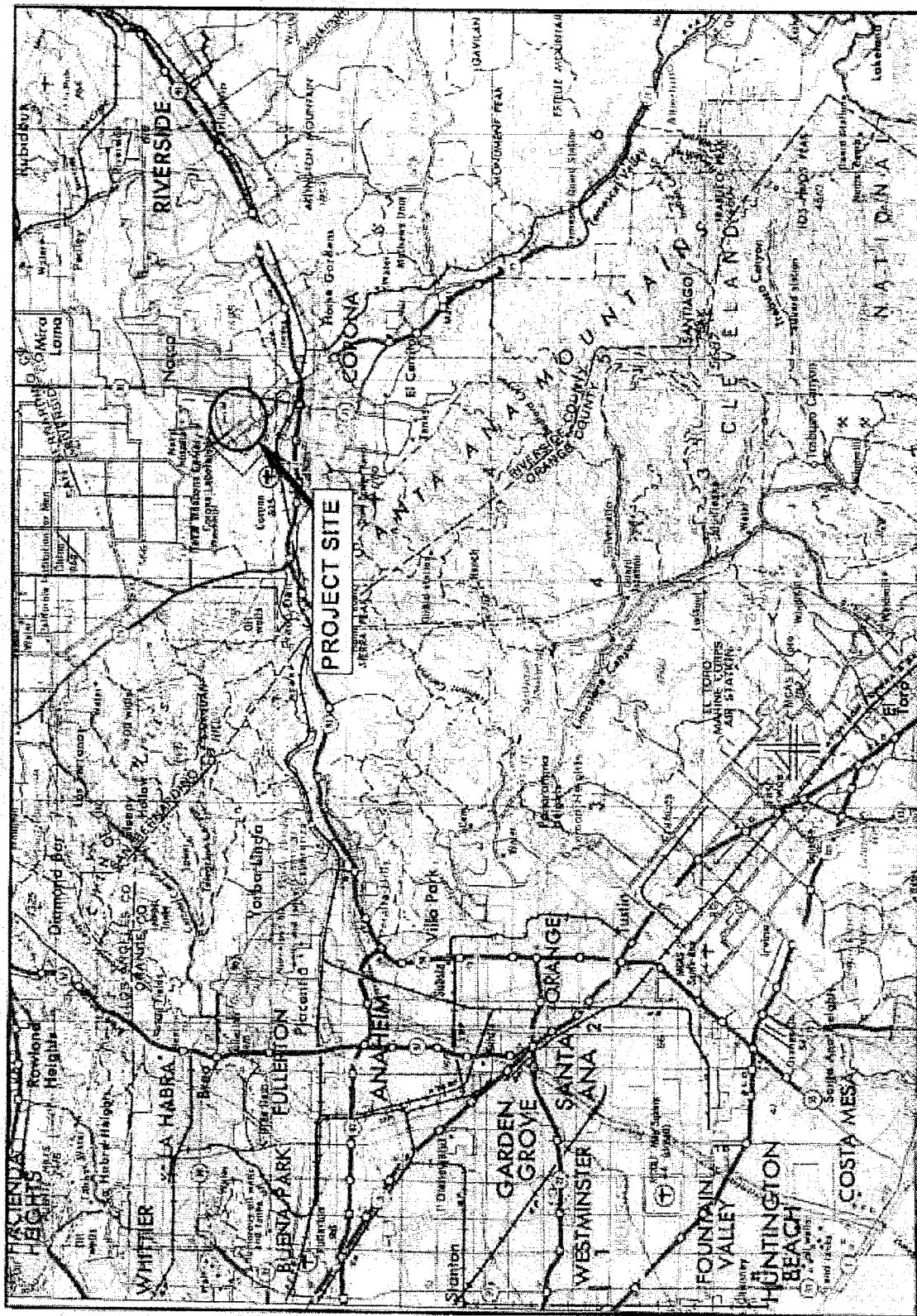
Corps and CDFG Jurisdiction

Total Corps and Regional Board jurisdiction associated with the Project area is 0.22 acre, of which 0.20 acre consists of jurisdictional wetlands, and includes 676 linear feet of streambed. Total CDFG jurisdiction within the Project area is 0.31 acre, of which 0.29 acre consists of vegetated riparian habitat, and includes 676 linear feet of streambed.

Total impacts to Corps and Regional Board jurisdiction are 0.22 acre, of which 0.20 acre consists of jurisdictional wetlands, and includes 676 linear feet of streambed. Total impacts to CDFG jurisdiction are 0.31 acre, of which 0.29 acre consists of vegetated riparian habitat, and includes 676 linear feet of streambed.

Potential Compensatory Mitigation

Compensatory mitigation for the Project will be proposed at an off site Corps and CDFG-approved mitigation bank and/or in-lieu fee program within the Santa Ana River Watershed. Mitigation will be proposed at a 2:1 mitigation to impact ratio based upon total impact to CDFG jurisdiction and will consist of a one-time in-lieu fee payment to create 0.62 acre of vegetated riparian habitat and/or wetland habitat within the Santa Ana River Watershed. Based upon the total Corps and CDFG jurisdiction within the Project area (0.22 acre and 0.31 acre respectively) and its overall habitat value, the creation of 0.62 acre of vegetated riparian habitat and/or wetland habitat within the Santa Ana River Watershed would adequately compensate for the proposed permanent impacts and reduce the loss of 0.22 acre of Corps jurisdiction and 0.31 acre of CDFG jurisdiction, including 676 linear feet of streambed, on site to a less than significant level.



Adapted from USGS Santa Ana quadrangle

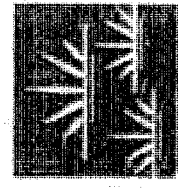


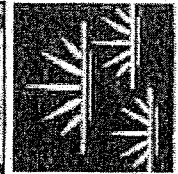
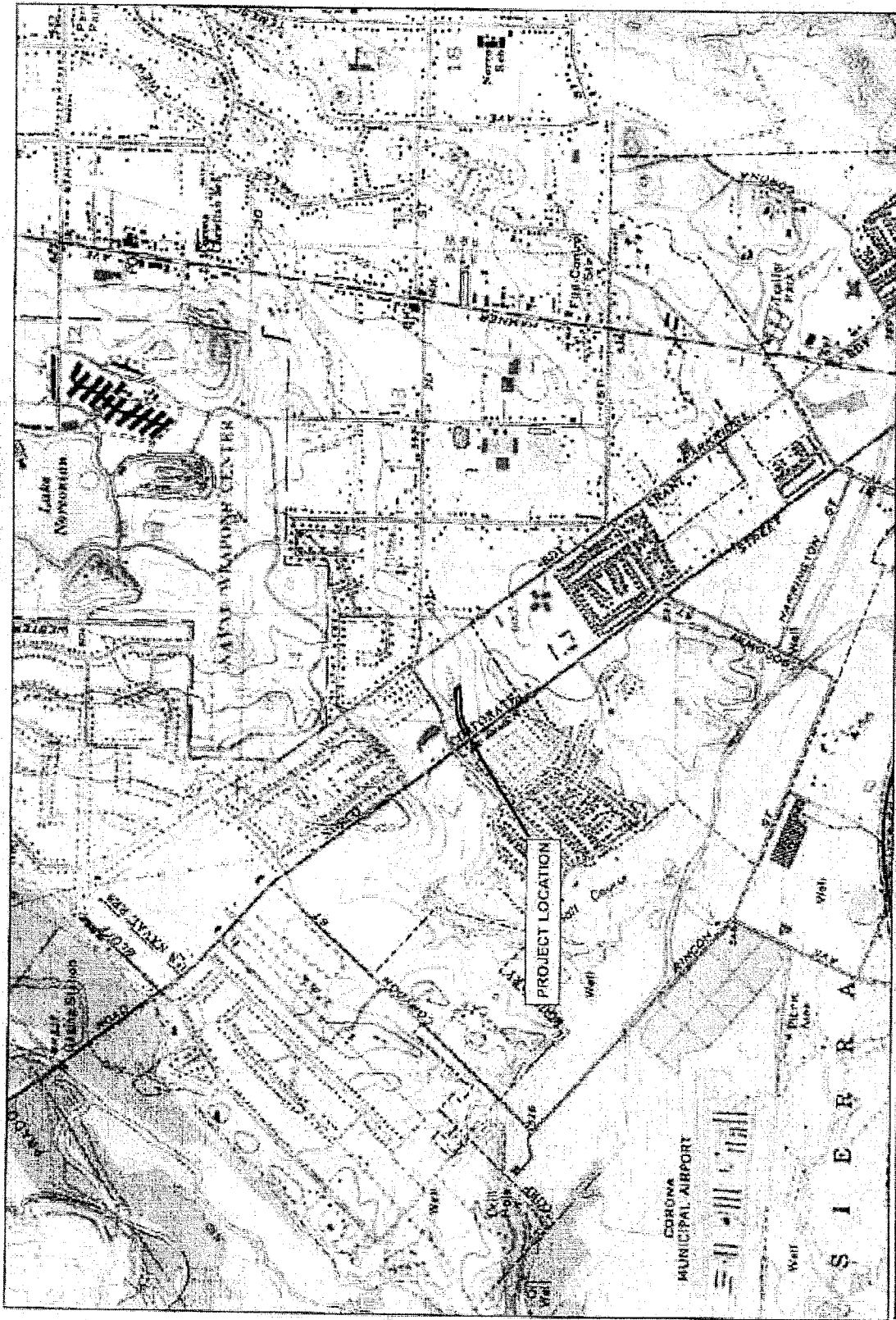
**NORTH NORCO CHANNEL
IMPROVEMENT PROJECT**

Regional Map

GLENN LUKOS ASSOCIATES

Exhibit 1





GLENN LUKOS ASSOCIATES

EXHIBIT 2

**NORTH NORCO CHANNEL
IMPROVEMENT PROJECT**
Vicinity Map

Adapted from USGS Corona North, CA quadrangle

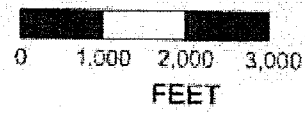
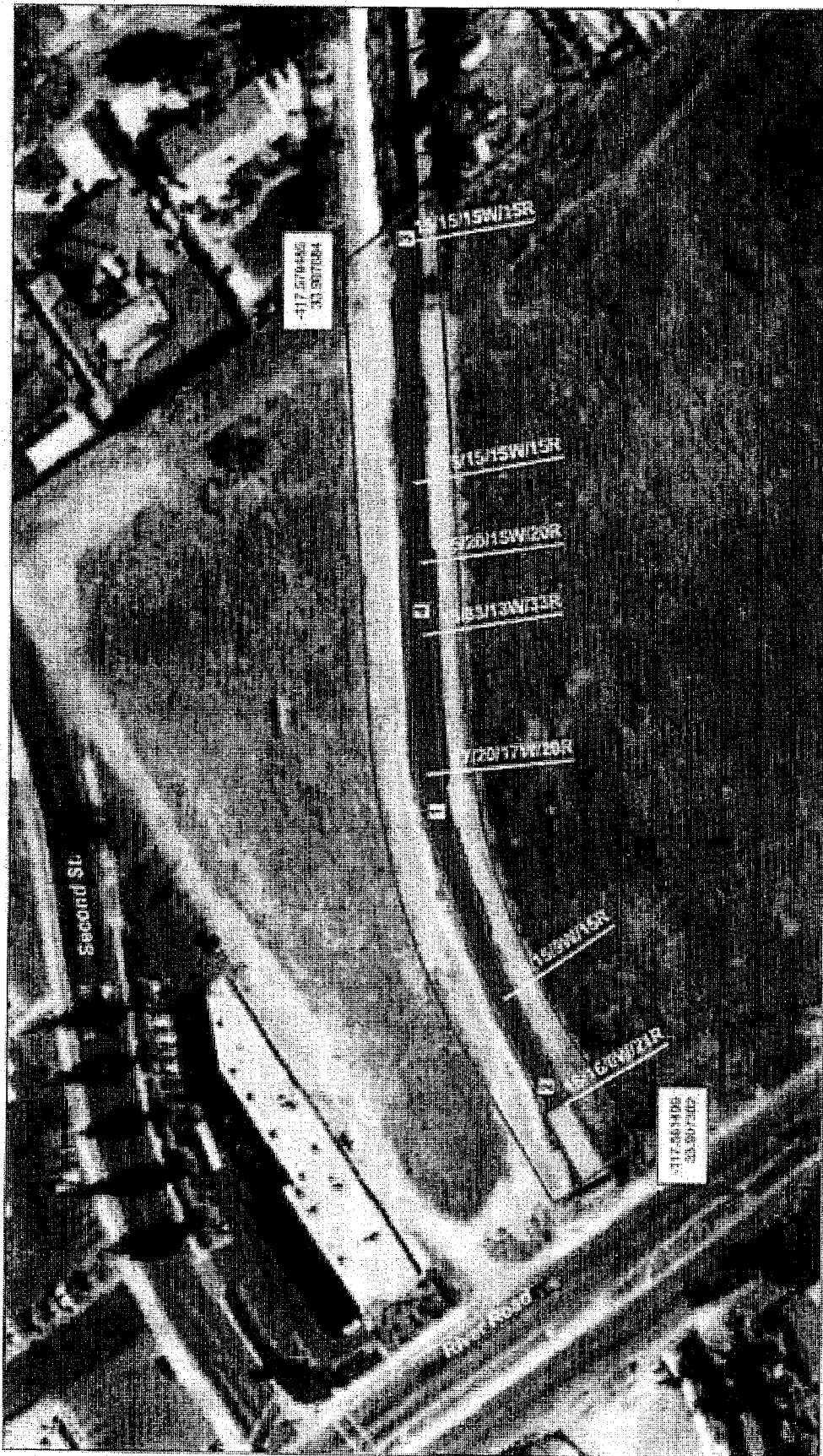







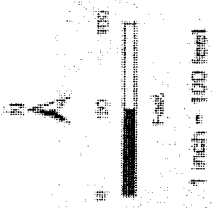
Exhibit 3

Jurisdictional Delineation Map



Legend

-  Project Area
-  Corps Non-weirland Waters and CDFG Unvegetated Streambed
-  Corps Weirland and CDFG Riparian
-  CDFG Riparian Only
-  Sediment Location



**NORTH NORCO CHANNEL
IMPROVEMENT PROJECT**
Jurisdictional Delineation Map



GLENN LUKOS ASSOCIATES

EXHIBIT B

The red number represents Corps width, the blue number represents CDFG width, the green number represents Corps weirland, and the black number CDFG Riparian