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RECEIVED
AUG 12 2013

NCL-13-030

August 7, 2013

Mr. Albert Martinez
Riverside County Flood Control
and Water Conservation District
1995 Market Street
Riverside, California 92501

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

SUBJECT: Notice of Availability of Initial Study, Notice of Intent to Adopt a Mitigated Negative Declaration for the Santa Ana Canyon-Below Prado Inland Empire Brine Line Protection Project

Dear Mr. Martinez:

The County of Orange has reviewed the Notice of Availability of Initial Study, Notice of Intent to Adopt a Mitigated Negative Declaration for the Santa Ana Canyon-Below Prado Inland Empire Brine Line Protection Project.

Flood Programs/SAR:

B-1

1. The Green River Golf Club, which is owned by the Orange County Flood Control District (OCFCD), is adjacent to, and in close proximity to, the Aliso Creek construction site and access road. The project needs to evaluate temporary construction impacts and appropriate mitigation measures, if any, to the Green River Golf Club due to construction noise, dust and vibration.

B-2

2. The IS/MND states, "if the existing road/trail were temporarily blocked by construction equipment pedestrians, bicycles, and horses would be able to slightly detour around equipment and continue along route as there are not features such as dense vegetation or steep inclines that would preclude access." A road/trail detour during construction should be implemented in a controlled manner, such that, it does not interfere with the operations and maintenance activities of the Green River Golf Club.

If you have any questions or need clarification please do not hesitate to call me at (714) 667-3211.

Sincerely,



Polin Modanlou, Manager
Strategic Land Planning Division
OC Public Works/OC Planning Services
300 North Flower Street
Santa Ana, California 92702-4048
Polin.Modanlou@ocpw.ocgov.com

cc: Lance Natsuhara, Manager, OC Public Works/Flood Programs/SAR

Responses to Comment Letter B (Orange County Public Works Department)

- B-1** The proposed Project footprint shown on Figure 2 of the CEQA document for the Aliso Canyon Crossing is located adjacent to the Green River Golf Course but is not located on the golf course property so there will be no direct impact to the Green River Golf Course. Project design features were incorporated specifically to reduce any potential indirect impacts to the golf course and include a hydraulic jacking system, which uses a static load to install piles, and allow the piling work to be carried out silently and vibration free (page 8 of the CEQA document). In addition the construction work will be done during the week, not on the weekends when the golf course would be anticipated to have a higher number of users. Also, it may be reasonable to assume that due to the mere 120-foot long extent of this row of sheet pile being installed in this portion of the Project area construction duration would be relatively brief.

No new environmental issues have been raised by this comment and no modification of the IS/MND is required.

- B-2** Any required minor detour to avoid construction equipment will remain in the construction footprint estimated (shown on figures 2 and 3 in the CEQA document) and will not extend onto the Green River Golf Club property. Thus, the Project will not interfere with the operations and maintenance activities of Green River Golf Club/Course.

No new environmental issues have been raised by this comment and no modification of the IS/MND is required.

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Letter C – California State Department of Parks and Recreation (August 5, 2013)

[letter]



DEPARTMENT OF PARKS AND RECREATION

Major General Anthony L. Jackson, USMC (Ret), Director

Chino Sector Office
1879 Jackson Street Riverside, CA 92504
ph 951-780-6222 fax 951-780-6073
Serving California Citrus SHP and Chino Hills SP

August 5, 2013

Albert Martinez
Riverside County Flood Control and Water Conservation District
1995 Market Street
Riverside, CA 92501

Subject: Brineline Protection Project Mitigated Negative Declaration,
SCH # 2013071020

Dear Mr. Martinez:

The Inland Empire District of the Department of Parks and Recreation (State Parks) appreciates the opportunity to comment on the aforementioned project. State Parks is a Trustee Agency as defined by the California Environmental Quality Act (CEQA). Since a portion of this project occurs within Chino Hills State Park, State Parks will assume the role as a Responsible Agency, as defined by CEQA. State Parks' mission in part is to provide for the health, inspiration, and education of the people of California by preserving the state's extraordinary biodiversity and creating opportunities for high quality outdoor recreation. As the office responsible for the stewardship of Chino Hills State Park (Chino Hills SP), we have an interest and concern about contemplated alterations of land use within and adjacent to the park.

The following are our comments on the MND. Some comments we made on the administrative draft in October 2012 appear unaddressed.

Cultural Resources

C-1

Please cite your sources for determinations made regarding cultural resources.

Hours of Operation

C-2

We consider the project area not only important wildlife habitat but also a part of a wildlife corridor area that supports a wide variety of animal life whose activities occur during periods of darkness, daylight and/or both. Therefore, hours of operation in the park are limited to daylight only. Written approval will be required in advance of any work occurring during hours of darkness.

Recreational Trail Access

C-3



↑
C-3 As stated in the document, access on the East Santa Ana River Trail will be maintained not just for emergency and patrol, but also for others having easements, such as utilities and for park visitors. Recreational access must be maintained throughout the project. Please provide the potential detour routes clearly shown on a map. Any proposed detours should also consider impacts related to providing alternate access.

High Fire Danger

C-4 The project area is in proximity of the origin of the 2008 Freeway Complex Fire and therefore is in what we consider a high fire danger area. We also have stringent fire safety precautions that we follow and impose on entities conducting projects within our parks. Those precautions include items such as having separate fire watch personnel to manage appropriate equipment for the entire duration of all equipment operation. We also require no work during red flag warning days, however, we can discuss fire preventive measures to avoid complete shut down on those days.

Erosion

C-5 Trees and tree sized shrubs can be so severely impacted from disturbance of more than 15% of their root zones to cause permanent damage or death. We would consider this a significant impact. We also have questions. What will you do when erosion occurs to expose the sheet pile? How much erosion will you allow to occur before you take action to repair it? We are concerned about what will happen during a big El Nino or mandated release from the dam when the sheet pile gets exposed. We expect impacts to aesthetics by exposure of structures. We also expect such events will create a wildlife crossing barrier for many species, from fish trying to get into Lower Aliso Creek for refugia (like the Santa Ana sucker), to reptiles, amphibians, insects other species depend on, small mammals and, potentially, large mammals if the erosion is many feet high.

Fish Movement

C-6 In Section Bio-D the MND states that the project will not impact any native or migratory fish. Aliso Creek is known to be occupied by native arroyo chub and is identified by the USFWS as refugia for the Santa Ana sucker. The MND should address specifics of how the project will maintain connectivity to the Santa Ana River for these species during project construction and describe methods to avoid impacts to their potential movement in and out of Aliso Creek.

Loss of Habitat

C-7 We recognize the vegetation in the project area is not high quality due to the non-native grasses, easement road and bike trail access in the area. However, it still provides habitat for a wide variety of species. Any temporary loss of habitat is viewed as a significant impact. At a minimum, site restoration with local native plants will be required and should include a five year monitoring period. We will require approval of the plant palette for all vegetation.

Environmental Sensitivity Training for Contractors

C-8

State Parks requests that an environmental sensitivity training be provided to all staff working on the project, explaining all avoidance and mitigation how they are to be implemented and maintained, and describing the sensitivities of working in a State Park as opposed to any other project site. State Parks will be available to assist with the development of the curricula for the training. When new contractors or staff start work on the project they should receive this training as well.

State Parks Emergency Response Plan

C-9

As mentioned in our comments last year, State Parks has an emergency response plan that is available for your review and that the project will be subject to.

Section Views

C-10

Please provide a cross section of the project to show the amount of land between the sheet pile and the river.

Hydrology

C-11

State Parks is concerned that hydrology may be affected. Groundwater recharge on both sides of the sheet pile will be affected at least for some distance. The soil under the road will be wetter and the zone just south of it will be drier, possibly enough to affect the long-term health of the plants there especially with climate change. Many of those plants have root zones that are not that deep and if we have successive years of less than average rainfall, surface soils will be drier just south of the wall at least down a few feet.

Traffic Control Plan

C-12

We will require approval of the Traffic Control Plan.

Coast Horned Lizard

C-13

State Parks staff, including biologists, have observed the coast horned lizard in the project area in the past. Focused surveys should be conducted and measures taken to avoid impacts, such as temporary barriers and preconstruction surveys which will relocate any horned lizards found outside the construction footprint. Identification and avoidance measures for horned lizard should be included in all environmental sensitivity trainings provided.

Chino Hills State Park General Plan

C-14

The Chino Hills SP General Plan, which can be found at <http://www.parks.ca.gov/pages/21299/files/chino%20hills%20finalgp.pdf> provides the



C-15

only land use Management Zones that govern land within the park. The park exists primarily to preserve the natural landscape features, its biological diversity, and low impact recreation. Please provide a discussion as to how the project is in conformance with the CHSP General Plan.

Thank you again for coordinating this project with us. For further discussion, please contact me or Enrique Arroyo at (951) 453-6848.

Sincerely,



Kelly Elliott
Chino Sector Superintendent
Inland Empire District

Responses to Comment Letter C (California State Department of Parks and Recreation)

C-1 As outlined in the Project Description of the CEQA document (pages 7-9) the US Army Corps of Engineers and Orange County prepared a Supplemental Environmental Impact Statement/Environmental Impact Report (SEIR/EIS) for the Santa Ana River Interceptor Line (SARI aka Brine line) Protection/Relocation Project. The SEIR/EIS included analysis of the Alternative RC3 Protection, which is the proposed Project 2,500 LF sheet pile. This cultural resources analysis and supporting documentation was used for the District's CEQA document analysis of cultural resources. The SEIR/EIS is included in the References and Bibliography section of the CEQA document (page 50). As outlined on page 4-141 of the SEIR/EIS, a records and literature search was conducted by the US Army Corps of Engineers, Los Angeles District cultural resources records. Several previous archeological and historical investigations have been conducted within the Santa Ana Canyon over the years. Some of these reports were prepared for private development projects. Several were also prepared under contract to the US Army Corps of Engineers as a result of planning for the Santa Ana River Project. Although the Aliso Canyon crossing was not specifically analyzed in the US Army Corps/Orange County prepared SEIR/EIS, it is located within the previously disturbed construction footprint of the SARI line and would not be expected to contain sensitive archeological or historical resources.

No new environmental issues have been raised by this comment and no modification of the IS/MND is required.

C-2 Comment noted; the construction operations will not extend beyond daylight hours. The Project specification will limit construction operations to daylight hours.

No new environmental issues have been raised by this comment and no modification of the IS/MND is required.

C-3 As outlined in the Project Description (page 8) and Transportation and Traffic (page 43) the existing road/trail pathway will be maintained for pedestrians, bicycles, and horses. If the existing road/trail were temporarily blocked by construction equipment pedestrians, bicycles, and horses would be able to slightly detour around equipment and continue along route. Any detours around equipment will remain in the construction footprint as shown on Figures 2, Project Location, and 3, USGS Topographic Map. Impacts are not anticipated outside of the construction footprint; impacts within the construction footprint are analyzed in the CEQA document.

No new environmental issues have been raised by this comment and no modification of the IS/MND is required.

C-4 As outlined in section VII Hazards and Hazardous Materials (page 34) of the CEQA document "The potential for a major wildfire within the Project area is considered low per the Riverside County GIS. As outlined above in the Project Description, in order to minimize potential fires from construction equipment, construction operations will follow the State Park's fire safety precautions, including a fire watch personnel (either safety officer or superintendent) to manage appropriate equipment for the entire duration of all equipment operation. In addition an on-call water truck must be on hand for construction activity." The following mitigation measure shall be implemented as a safeguard: "MMHaz 1: Appropriate fire-fighting equipment (e.g. extinguishers, shovels, water trucks) shall be available on site during all phases of project

construction to help minimize the chance of human-caused wildfires. Shields, protective mats, and/or other fire preventive methods shall be used during grinding, welding, and other spark-inducing activities.” The Department’s fire safety precautions will be included in the project specifications.

No new environmental issues have been raised by this comment and no modification of the IS/MND is required.

- C-5** Permanent damage or death of trees resulting from impacts to the root zone is considered a significant impact to the individual tree. However, pursuant to CEQA the analysis is based on whether or not a project’s impacts would result in substantial adverse effects on riparian habitat or other sensitive natural community (CEQA document Section IV, Biological Resources, threshold *b*, page 23). The analysis prepared for this project evaluated the potential impacts to the collective riparian habitat in the project area as compared to individual trees or shrubs. The impact analysis within the Biological Technical Report/DBESP and CEQA document assessed the acreage of impacts to the vegetation/habitat along the alignment that is associated with the Santa Ana River and developed mitigation, in coordination with the Regional Conservation Authority (RCA), the CA Dept of Fish and Wildlife (CDFW) and the US Fish and Wildlife Service (USFWS) through the MSHCP required DBESP analysis and process to mitigate potential impacts to less than significant levels and to provide equivalent preservation.

As outlined in Section VIII Hydrology and Water Quality (page 36) of the CEQA document, it is not anticipated that any single event would cause significant enough erosion to expose the sheet piles. Although erosion of the soil around the sheet piles could occur from regular events, operation and maintenance activities will address adverse effects of incremental erosion before it becomes a significant impact. Operation and Maintenance activities will include regular inspection of the area and maintenance to restore eroded areas as needed. Therefore, regular inspection and maintenance will be conducted to repair incremental erosion and prevent exposure of the sheet piles and therefore any further significant aesthetic or wildlife barrier impacts.

The Santa Ana River corridor is expected to serve as a wildlife movement corridor. The proposed sheet piles are located adjacent to and parallel to the river corridor. Thus, even if exposed the sheet piles would not act as barriers to wildlife movement up and down the river corridor. For wildlife movement between the Santa Ana River corridor and the Chino Hills State Park the sheet piles could act as barriers to wildlife movement if they were significantly exposed. However, if exposed there is still a large area surrounding the two sheet piles that would continue to provide for wildlife movement (i.e. animals could walk around/between the exposed sheet piles (if exposed) and move between the State Park and the River. Thus, even if exposed the sheet piles would not prevent wildlife movement between the State Park and the River (as there are large portions of land between them that do not contain sheet piles). With regular inspection and repair of incremental erosion the sheet piles are not anticipated to become exposed and become a potential aesthetic impact or impediment to wildlife movement. Further, the SEIR/EIS prepared by the Corps for the SARI Protection/Relocation Project evaluated the potential impacts to wildlife movement from implementation of Alternative RC3 sheet pile protection. As outlined on page 5-66 of the SEIR/EIS this alternative would not permanently obstruct any culverts, underpasses, or other movement pathways. The sheet pile wall will be completely buried after construction, and therefore should be no more difficult to

traverse than a natural bank for wildlife attempting to move between the river channel and the adjacent hills. If portions of the bank covering the sheet pile significantly erode during peak flows, the resulting segments of sheet cliff face could affect movement. Erosion, however, would occur with or without the Project. For some larger species, the sheet pile would provide little obstacle, while other species may cross either upstream or downstream of the eroded area. As temporal impacts to wildlife habitat will be mitigated by creating or restoring native vegetation elsewhere in the Santa Ana River Watershed this alternative would have little if any long-term effect on wildlife movement in the region, and would not result in a significant, unmitigable impact. (The Riparian/Riverine DBESP prepared with input from the USFWS and CDFW outlined on-site restoration of native vegetation).

No new environmental issues have been raised by this comment and no modification of the IS/MND is required.

- C-6** As shown on Figure 3, USGS Topographic Map in the CEQA document, as well as Exhibit 2, Vicinity Map in the Biotechnical Report and Jurisdictional Delineation, the Project site includes the Aliso Canyon Crossing which is a crossing of an unnamed ephemeral wash that originates off site in Chino Hills State Park, follows the bottom of Aliso Canyon in a southeast direction to connect with the Santa Ana River. The unnamed drainage in Aliso Canyon, in this Project area is not "Aliso Creek." Aliso Creek is not located within the Project vicinity; rather it is located in Orange County where it originates in the Cleveland National Forest and outlets to the Pacific Ocean at Laguna Beach. The proposed Project will not affect Aliso Creek or any associated aquatic species. As outlined in the Biotechnical Report, page 21, the project site does not contain suitable habitat for the Santa Ana sucker (*Catostomus santaanae*) or the arroyo chub (*Gila orcutti*).

The proposed project does not include above ground structures that would impede fish passage in the case of major flooding event. As outlined in Section VIII Hydrology and Water Quality (page 36) of the CEQA document, it is not anticipated that any single event would cause significant enough erosion to expose the sheet piles. Although erosion of the soil around the sheet piles could occur from regular events, operation and maintenance activities will address adverse effects of incremental erosion before it becomes a significant impact. Operation and Maintenance activities will include regular inspection of the area and maintenance to restore eroded areas as needed. Therefore, regular inspection and maintenance will be conducted to repair incremental erosion and prevent exposure of the sheet piles and therefore any further significant barrier impacts.

If portions of the bank covering the sheet pile significantly erode during severe events, the resulting segments of sheet cliff face could affect connectivity for fish movement from the Santa Ana River up into Aliso Canyon. Erosion in severe events, however, would occur with or without the Project. Erosion in a severe event could create an earthen cliff face that could also affect connectivity for fish movement from the Santa Ana River up into Aliso Canyon. Therefore, implementation of the proposed project would not create a greater potential for loss of connectivity than exists today in the project area. In addition, as outlined in the Biotechnical Report, the project site, including Aliso Canyon unnamed ephemeral drainage, does not include suitable habitat for the Santa Ana sucker or the arroyo chub.

No new environmental issues have been raised by this comment and no modification of the IS/MND is required.

- C-7** The Biological Technical Report which includes a Determination of Biologically Equivalent or Superior Preservation (DBESP) analysis was provided to CDFW (as well as USFWS) for review and comment prior to completion of the CEQA document. The DBESP analysis was revised to address CDFW and USFWS comments prior to incorporation into the CEQA document and circulation of the CEQA document for public review. The appropriate mitigation for impacts to streams and riparian habitat was developed with input from CDFW and USFWS through the DBESP analysis and review process. As outlined in the Biotechnical Report/DBESP the proposed Project will result in temporary impacts to 0.013 acre of unvegetated streambed (riverine areas) at the Aliso Canyon crossing, and 0.004 acre of scattered/sparse mule fat shrubs. The Project will temporarily affect up to 0.029 acre of riparian vegetation occurring on the edge of the Santa Ana River. However, the Project will not impact the streambed of the Santa Ana River, and will avoid the trimming/removal of riparian vegetation to the maximum extent feasible (page 39). Following completion of Project activities, the affected streambed in Aliso Canyon will be restored to its pre-Project condition and riparian vegetation will be re-planted where impacts occur, ensuring that the riparian/riverine areas within the Project site will be biologically equivalent to the pre-Project condition. The restored habitat will maintain the pre-Project habitat function for least Bell's vireo, and other riparian species (page 40). Therefore the CEQA document and supporting Biological Technical Report did include an analysis of temporary loss of habitat and outlined mitigation measures and restoration of the site to reduce potential impacts to less than significant levels and meet an equivalency determination for preservation as required by the MSHCP DBESP process. The plant palette used for re-vegetation efforts will be provided to State Parks for approval.

No new environmental issues have been raised by this comment and no modification of the IS/MND is required.

- C-8** The project specifications will include environmental sensitivity training be provided to the contractor working on the Project.

No new environmental issues have been raised by this comment and no modification of the IS/MND is required.

- C-9** Comment Noted.

No new environmental issues have been raised by this comment and no modification of the IS/MND is required.

- C-10** A cross section was prepared and is attached. The distance between the area/distance between the proposed sheet piles and the Santa Ana River varies, between 230 feet at the closest point and 875 feet at the farthest point.

No new environmental issues have been raised by this comment and no modification of the IS/MND is required.

- C-11** The active Santa Ana River channel flows close to the bank that required protection. However, installation of the sheet pile will not require diversion of the river or direct impacts to the river. The sheet pile protection itself would not result in a significant change in the surface floodplain characteristics. As outlined in the SEIR/EIS for the SARI Protection/Relocation Project (page 5-15) “there would be no dewatering impacts to groundwater resources due to sheet pile construction because the dewatering operations would occur in the shallow zone of the river’s invert base flow and not from the groundwater aquifer.”

As outlined in the SEIR/EIS for the SARI Protection/Relocation Project (page 4-19) groundwater in the project area is part of a recharge basin that serves northern and central Orange County and the Santa Ana River is its primary source of recharge. As the sheet piles will be installed adjacent to the river and below the ground surface they would not prevent or impede ephemeral surface flows from the upland areas in the Chino Hills State Park and the unnamed drainage in Aliso Canyon from reaching the Santa Ana River where recharge occurs. Because the sheet piles will be installed vertically below the ground surface they will not create a large lateral impervious surface (width is approximately 2 feet) just below the ground that would prevent infiltration.

The riparian vegetation that is located on the south side of the existing Brine Line maintenance road is supported by and associated with the Santa Ana River. The sheet pile will not be installed between the existing riparian vegetation and the Santa Ana River with the potential to block subsurface lateral flows from the river to the vegetation root zones, rather it will be located beyond the existing riparian vegetation on the north bank of the river. Therefore, installation of the sheet pile would not impede the primary source of hydrology for the existing riparian vegetation. And the soil to the south of the sheet pile is not anticipated to be any drier as a result of sheet pile installation. The existing vegetation on the north or upland side of the maintenance road and proposed sheet pile location is upland, not riparian, and would not adversely be affected by installation of the sheet pile. The riparian vegetation (sparse mule fat shrubs) at the Aliso Canyon crossing is anticipated to be supported from ephemeral flows of the unnamed drainage in Aliso Canyon. As the sheet pile and rip rap will be located below the ground surface these structures will not impede the surface flows that support the existing vegetation in this area.

No new environmental issues have been raised by this comment and no modification of the IS/MND is required.

- C-12** Comment noted. As outlined in the CEQA document (Environmental Commitment Trans 1) a traffic control plan shall be implemented to coordinate all traffic movement through the Project area and ensure that at all times during construction, emergency fire or medical vehicles shall have access through the Project area. Additionally, construction equipment or activities must not obstruct or hinder traffic that might be generated during an evacuation.

No new environmental issues have been raised by this comment and no modification of the IS/MND is required.

- C-13** As outlined in the CEQA document, Section IV Biological Resources (page 23) “Coast horned lizard, a state Species of Special Concern has been observed in the project area in the past. Coast horned lizard is also a covered species under the MSHCP. There are no project level

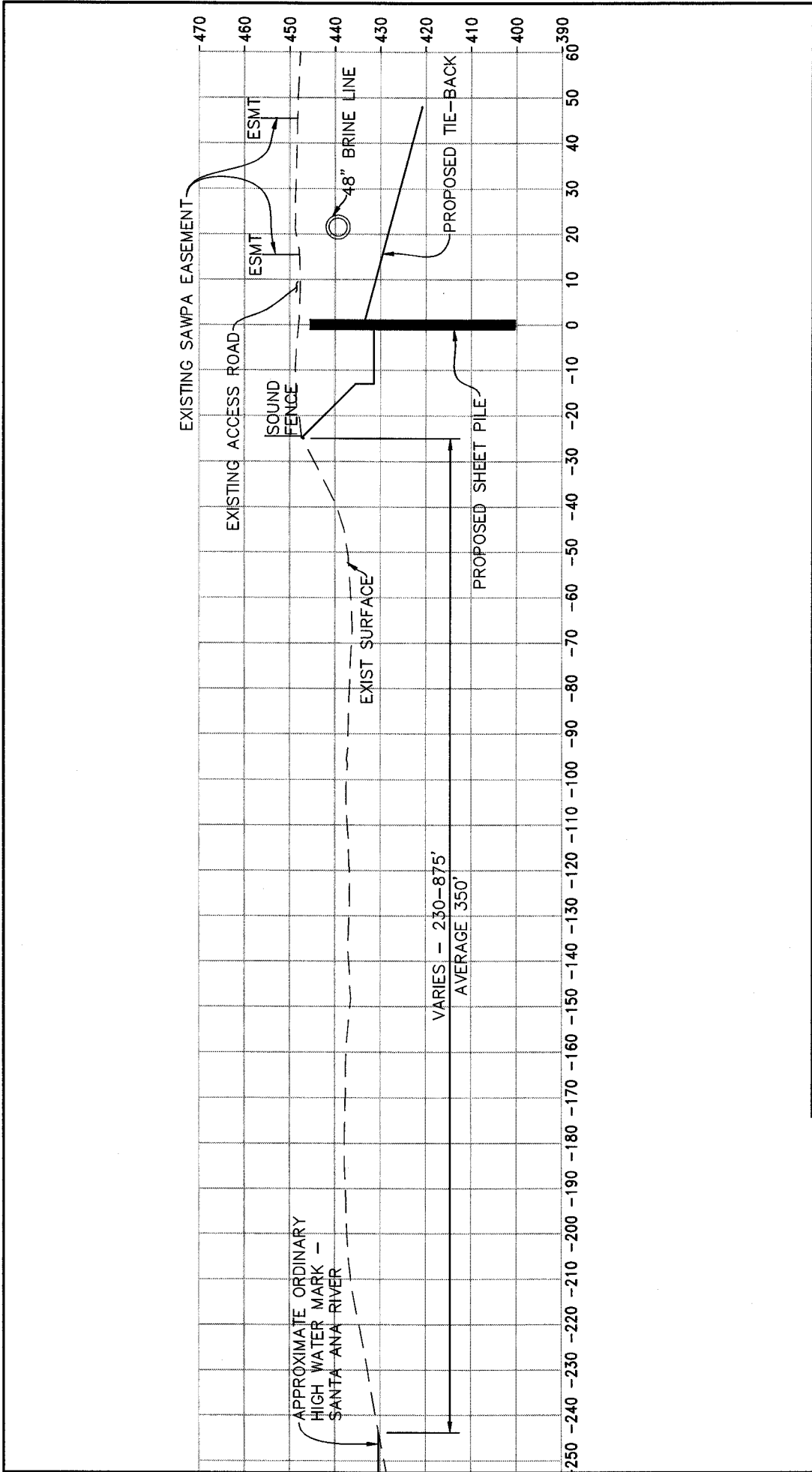
surveys, avoidance, or conservation requirements for this species under the MSHCP. As the project is consistent with the plan outlined in detail below, and with payment of mitigation fees any potential adverse impacts to the coast horned lizard are mitigated pursuant to CEQA through compliance with the MSHCP.” Therefore no additional surveys or mitigation measures such as temporary barriers and relocation are required to reduce potential impacts from construction to coast horned lizard to less than significant levels pursuant to the MSHCP and CEQA.

No new environmental issues have been raised by this comment and no modification of the IS/MND is required.

C-14 A discussion was added in applicable sections of the CEQA document related to the Project’s conformance with the Chino Hills State Park General Plan in response to the Department’s comments on the administrative draft. These include the following sections of the CEQA document:

- General Plan designation and zoning (page 7)
- Section V Cultural Resources (page 29)
- Section IX Land Use Planning (page 37)
- References and Bibliography (page 50)

No new environmental issues have been raised by this comment and no modification of the IS/MND is required.



SANTA ANA CANYON - BELOW PRADO INLAND EMPIRE BRINE LINE PROTECTION PROJECT CROSS SECTION		SCALE: SEE BAR DATE: 8/29/13 DESIGNED: oed CHECKED: jcc PLN CK REF: F.B.	WEBB ASSOCIATES ENGINEERING CONSULTANTS 5788 MCCRAY STREET RIVERVIEW, CA 94568 PH. (957) 666-1070 FAX (957) 788-7236	W.O. 2010-0196 SHEET 1 OF 1 SHEETS DWG. NO.
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Letter D – State of California Office of Planning and Research (August 7, 2013)

[letter]



EDMUND G. BROWN JR.
GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE of PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT



KEN ALEX
DIRECTOR

August 7, 2013

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AUG 12 2013

Albert Martinez
Riverside County Flood Control and Water Conservation
1995 Market Street
Riverside, CA 92501

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

Subject: Santa Ana Canyon - Below Prado Inland Empire Brine Line Protection
SCH#: 2013071020

Dear Albert Martinez:

The State Clearinghouse submitted the above named Mitigated Negative Declaration to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on August 6, 2013, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

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

D-1

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

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

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

Sincerely,

Scott Morgan
Director, State Clearinghouse

Enclosures

cc: Resources Agency



State of California - Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Inland Deserts Region
3602 Inland Empire Blvd., Suite C-220
Ontario, CA 91764
(909) 484-0459
www.wildlife.ca.gov

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



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AUG 05 2013

STATE CLEARING HOUSE

8/6/13
Clear

August 5, 2013

Mr. Albert Martinez
Riverside County Flood Control and Water Conservation District
1995 Market Street
Riverside, CA 92501

Subject: Initial Study/Mitigated Negative Declaration
Santa Ana Canyon-Below Prado Inland Empire Brine Line Protection
Project
State Clearinghouse No. 2013071020

Dear Mr. Martinez:

The Department of Fish and Wildlife (Department) appreciates the opportunity to comment on the Initial Study/Mitigated Negative Declaration (IS/MND) for the Santa Ana Canyon-Below Prado Inland Empire Brine Line Protection Project (Project) [State Clearinghouse No. 2013071020]. The Department is responding to the IS/MND as a Trustee Agency for fish and wildlife resources (California Fish and Game Code Sections 711.7 and 1802, and the California Environmental Quality Act [CEQA] Guidelines Section 15386), and as a Responsible Agency regarding any discretionary actions (CEQA Guidelines Section 15381), such as the issuance of a Lake or Streambed Alteration Agreement (California Fish and Game Code Sections 1600 *et seq.*) and/or a California Endangered Species Act (CESA) Permit for Incidental Take of Endangered, Threatened, and/or Candidate species (California Fish and Game Code Sections 2080 and 2080.1).

Project Description

The Project is located adjacent to the north bank of the Santa Ana River, between the Prado Dam outlet and the Burlington Northern Santa Fe (BNSF) railroad bridge, within Riverside County. Riverside County Flood Control and Water Conservation District (RCFC) proposes the installation of approximately 2,500 linear feet of AZ28-700 sheet pile in two locations along the existing Santa Ana River trail. The sheet piling will have a width of approximately two feet and an average toe depth of 55 feet, with tiebacks spaced approximately every 10 feet. The easternmost portion of the Project (Alternative RC3 Protection) will extend approximately 2,300 feet and the westernmost portion (Aliso Canyon Crossing) will extend approximately 200 feet. The sheet piles will be placed at the southerly edge of the existing access/maintenance road. The construction footprint

is anticipated to extend 25 to 30 feet on either side of the road and encompass approximately 1.69 acres.

Biological Resources and Impacts

The CEQA document should contain sufficient, specific, and current biological information on the existing habitat and species at the Project site; measures to minimize and avoid sensitive biological resources; and mitigation measures to offset the loss of native flora and fauna and State waters. The CEQA document should not defer impact analysis and mitigation measures to future regulatory discretionary actions, such as a Lake or Streambed Alteration Agreement.

A-1

If sensitive species have the potential to occur on the Project site species specific surveys should be conducted using methods approved by the Department or assume the presence of the species throughout the project site. Surveys should be conducted with one year of submission of the CEQA document. To assist with review, an accompanying map showing the areas of impact should be included in the subsequent CEQA document. Additional maps detailing the location of sensitive species should also be included in the subsequent CEQA document.

The IS/MND did not provide adequate analysis of the potential impacts to Alliso Creek, and associated aquatic species, resulting from the installation of sheet pile within the creek. Alliso Creek is inhabited by native arroyo chub (*Gila orcutti*), a State Species of Special Concern (SSC), and has also been considered potential refugia habitat for Santa Ana sucker (*Catostomus santaanae*) (SSC; Federally Threatened). Analysis should be conducted to determine the potential for the structure to be exposed after high releases from Prado or regular runoff events from Alliso Creek. Exposure of the structure could result in a potential loss of connectivity, obstructions to passage, and further erosion issues.

Natural Community Conservation Program (NCCP)

A-2

The Department is responsible for ensuring appropriate conservation of fish and wildlife resources including threatened, endangered, and/or candidate plant and animal species, pursuant to the CESA, and administers the Natural Community Conservation Plan Program (NCCP Program). Within the Inland Deserts Region, the Department issued Natural Community Conservation Plan Approval and Take Authorization for the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) per Section 2800, *et seq.*, of the California Fish and Game Code on June 22, 2004. The MSHCP establishes a multiple species conservation program to minimize and mitigate habitat loss and the incidental take of covered species in association with activities covered under the permit.

Compliance with approved habitat plans, such as the MSHCP, is discussed in CEQA. Specifically, Section 15125(d) of the CEQA Guidelines requires that the CEQA



A-2 document discuss any inconsistencies between a proposed Project and applicable general plans and regional plans, including habitat conservation plans and natural community conservation plans. An assessment of the impacts to the MSHCP as a result of this Project is necessary to address CEQA requirements. To obtain additional information regarding the MSHCP please go to: <http://www.rctlma.org/mshcp/>.

The proposed Project occurs within the MSHCP area and is subject to the provisions and policies of the MSHCP. In order to be considered a covered activity, Permittees must demonstrate that proposed actions are consistent with the MSHCP and its associated Implementing Agreement.

Lake and Streambed Alteration Program

Although the proposed Project is within the MSHCP, a Notification of Lake or Streambed Alteration is still required by the Department, should the site contain jurisdictional waters. The Department is responsible for assessing and evaluating impacts to jurisdictional waters; typically accomplished through reviewing jurisdictional delineation (JD) reports, supporting information, and conducting site visits. Following review of a JD, the Department may request changes to the JD. The Department may also recommend that additional project avoidance and/or minimization measures be incorporated, or request additional mitigation for project-related impacts to jurisdictional areas.

A-3 The Department recommends submitting a notification early in the project planning process, since modification of the proposed project may be required to avoid or reduce impacts to fish and wildlife resources. To obtain a Lake or Streambed Alteration notification package, please go to <http://www.dfg.ca.gov/habcon/1600/forms.html>.

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

The project proposes the permanent placement of sheet piling within Aliso Creek. The IS/MND does not provide analysis of Aliso Creek and any rates of erosion that may affect the structure within the streambed. Photos provided in the IS/MND show a series of concrete culverts placed vertically between Aliso Creek and the existing access road. The photos display some level of erosion downstream of the culverts, but it is unclear when these structures were placed, if they were initially buried or exposed, and what purpose these culverts hold in managing the creek. The Department cannot comment on this aspect of the Project until further information is provided, and recommends that the document be revised to include adequate information regarding the Aliso Creek

crossing. If further analysis is not conducted, the Department recommends the pipeline span the creek to avoid any undisclosed and unanalyzed impacts.

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

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

Please refer to section 15370 of the CEQA Guidelines for the definition of mitigation.

In the absence of specific mitigation measures in the CEQA document, the Department believes that it cannot fulfill its obligations as a Trustee and Responsible Agency for fish and wildlife resources. Permit negotiations conducted after and outside of the CEQA process are not CEQA-compliant because they deprive the public and agencies of their right to know what project impacts are and how they are being mitigated (CEQA Guidelines Section 15002).

Department Recommendations

The Department has the following concerns about the Project, and requests that these concerns be addressed in the CEQA document:

1. The CEQA document should quantify impacts to habitats and species as per the informational requirements of CEQA. An accompanying map showing the areas of impact should also be included.
2. The CEQA document should include current biological surveys for fauna and flora (the Department recommends that surveys be completed within the 12 month period prior to circulation of the CEQA document). The Department recommends that the Lead Agency contact the Department's California Natural Diversity Database (CNDDDB) in Sacramento, (916) 327-5960, to obtain current information on any previously reported sensitive species and habitat, including Significant Natural Areas identified under Chapter 12 of the California Fish and Game Code. If sensitive species may occur within the project area, species specific surveys, conducted at the appropriate time of year and time of day, should be included with the CEQA document. Acceptable species specific surveys have been developed by the Department, and by the U.S. Fish and

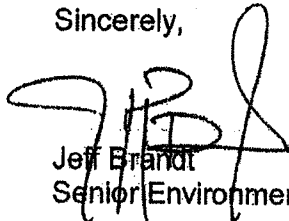
A-4

Wildlife Service, and are accessible through each agencies websites. The Department recommends that assessments for rare plants and rare plant natural communities follow the Department's 2009 Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities. The guidance document is available here:
http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/protocols_for_surveying_and_evaluating_impacts.pdf

3. The analysis in the CEQA document should satisfy the requirements of the Department's Lake and Streambed Alteration Program and CESA (if deemed necessary).
4. The CEQA document should provide a thorough analysis of Aliso Creek and associated species that may be impacted by the Project.

If you should have any questions pertaining to these comments, please contact Kimberly Freeburn-Marquez at (909) 945-3484 or at Kim.Freeburn@wildlife.ca.gov.

Sincerely,



Jeff Brandt
Senior Environmental Scientist

cc: State Clearinghouse, Sacramento

Responses to Comment Letter D (State of California Office of Planning and Research)

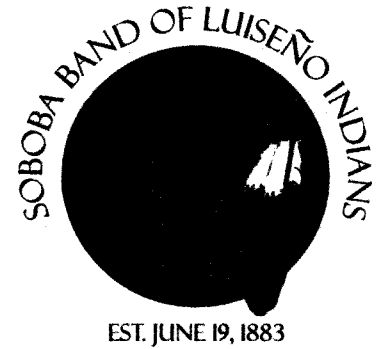
- D-1** Comment noted. The responses to comment letters received by state agencies for this project are outlined in Responses to Comment Letters A and C above. No new environmental issues have been raised by this comment and no modification of the IS/MND is required.

Letter E – Soboba Band of Luiseno Indians (August 8, 2013)

[letter]

August 8, 2013

Attn: Mike Wong, Engineering Project Manager
Riverside County Flood Control and Water Conservation District
1995 Market Street
Riverside, CA 92501



Re: Santa Ana Canyon Below Prado Inland Empire Brine Line Protection Project

E-1

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

E-2

Soboba Band of Luiseño Indians is requesting the following:

1. To initiate a consultation with the Project Developer and Land owner.
2. The transfer of information to the Soboba Band of Luiseno Indians regarding the progress of this project should be done as soon as new developments occur.
3. Soboba Band of Luiseño Indians continues to act as a consulting tribal entity for this project.
4. Working in and around traditional use areas intensifies the possibility of encountering cultural resources during the construction/excavation phase. For this reason the Soboba Band of Luiseño Indians requests that a Native American monitoring component be included as a mitigation measure for the negative declaration. The Tribe is requesting that a Treatment and Dispositions Agreement between the developer and The Soboba Band be provided to the Riverside County Flood Control and Water Conservation District prior to the issuance of a grading permit and before conducting any additional archaeological fieldwork
5. Request that proper procedures be taken and requests of the tribe be honored (Please see the attachment)

E-3

The Soboba Band of Luiseno Indians is requesting a face-to-face meeting between the Riverside County Flood Control and the Soboba Cultural Resource Department. Please contact me at your earliest convenience either by email or phone in order to make arrangements.

Sincerely,

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

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

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

Treatment and Disposition of Remains.

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

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

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

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

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

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

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

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

Responses to Comment Letter E (Soboba Band of Luiseno Indians)

E-1 Comment noted. No new environmental issues have been raised by this comment and no modification of the IS/MND is required.

E-2 Comment noted. The proposed Project is not a development project, rather a project to protect the existing underground Brine Line from damage. For clarification, a grading permit is not required for the proposed Project. As outlined in the CEQA document, section V Cultural Resources (pages 28-29) due to the disturbed nature of the Project site, impacts to archaeological resources are not anticipated. However, in the unlikely event that archeological resources are unearthed during excavation at the proposed Project site, implementation of a standard District construction practice, environmental commitment EC Cultural 1, will ensure potential impacts remain at less than significant levels.

EC Cultural 1: If any cultural and/or archaeological resources are exposed during ground excavation disturbance, ground disturbance activities in the vicinity of the discovery shall immediately halt and ground disturbance activities shall be moved to other parts of the Project site and a qualified archaeologist shall be contacted to determine the significance of the resource(s). If the find is determined to be a historical or unique archaeological resource, as defined in Section 15064.5 of the California Code of Regulations (State CEQA Guidelines), avoidance or other appropriate measures shall be implemented.

Further, as outlined in the CEQA document, The proposed Project is not located near any known formal cemeteries. Therefore, the Project site is not expected to disturb any known human remains. However, in the unlikely event that human remains are encountered on the Project site, implementation of a standard District construction practice, environmental commitment EC Cultural 3, will ensure potential impacts remain at less than significant levels.

EC Cultural 3: Per State Health and Safety Code 7050.5, if human remains are encountered during construction, no further disturbance shall occur until the Riverside County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The Riverside County Coroner must be notified within 24 hours. If the County Coroner determines that the remains are not historic, but prehistoric, the Native American Heritage Commission must be contacted to determine the most likely descendent for this area. Once the most likely descendent is determined, treatment of the Native American human remains will proceed pursuant to Public Resources Code Section 5097.98.

No new environmental issues have been raised by this comment and no modification of the IS/MND is required.

E-3 Comment noted. The Riverside County Flood Control District will contact the Soboba Band of Luiseno Indians to set up a face-to-face meeting. No new environmental issues have been raised by this comment and no modification of the IS/MND is required.

Letter F – Wildlife Corridor Conservation Authority (August 14, 2013)

[letter]

WILDLIFE CORRIDOR CONSERVATION AUTHORITY

570 WEST AVENUE 26, SUITE 100, LOS ANGELES, CALIFORNIA 90065

TELEPHONE: (310) 589-3230

FAX: (310) 589-2408

GLENN PARKER
CHAIR
PUBLIC MEMBER
ORANGE COUNTY

MICHAEL HUGHES
VICE-CHAIR
PUBLIC MEMBER
LOS ANGELES COUNTY

BOB HENDERSON
CITY OF WHITTIER

CALIFORNIA STATE PARKS

CHRISTINE MARICK
CITY OF BREA

SANTA MONICA MOUNTAINS
CONSERVANCY

DICKIE SIMMONS
LOS ANGELES COUNTY
BOARD OF SUPERVISORS

JACK TANAKA
CITY OF DIAMOND BAR

JANE L. WILLIAMS
CITY OF LA HABRA HEIGHTS

August 14, 2013

Albert Martinez, Senior Civil Engineer
Riverside County Flood Control and Water Conservation District
1995 Market Street
Riverside, California 92501

Santa Ana Canyon-Below Prado Inland Empire Brine Line Protection Project Initial Study/Mitigated Negative Declaration SCH # 2013071020

Dear Mr. Martinez:

The Wildlife Corridor Conservation Authority (WCCA) was created to provide for the proper planning, conservation, environmental protection, and maintenance of the habitat and wildlife corridor between Whittier-Puente Hills, Chino Hills, and the Cleveland National Forest in the Santa Ana Mountains. It is one of our main goals to ensure that sufficient continuity of habitat can be preserved to maintain a functioning wildlife corridor within this area.

We are concerned that the biological resources including wildlife movement in the surrounding area may be adversely affected by the construction and implementation of this project.

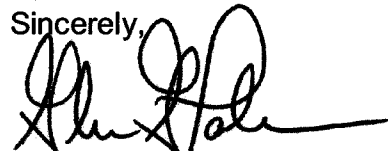
F-1

WCCA supports the letter from the Inland Empire District of California State Parks (State Parks), dated August 5, 2013 regarding said project. State Parks stated that written approval will be required in advance of any work occurring during hours of darkness. Although the Initial Study/Mitigated Negative Declaration anticipates a less than significant impact on biological resources, State Parks commented that any temporary loss of habitat is viewed as a significant impact. We concur with State Parks in that at a minimum, site restoration with local native plants will be required and should include a five-year monitoring period.

F-2

We appreciate your consideration of these comments. If you have any questions, please contact Judi Tamasi of our staff by phone at (310) 589-3230, ext. 121, or by email at judi.tamasi@mrca.ca.gov.

Sincerely,



Glenn Parker
Chairperson



DEPARTMENT OF PARKS AND RECREATION

Chino Sector Office

1879 Jackson Street Riverside, CA 92504

ph 951-780-6222 fax 951-780-6073

Serving California Citrus SHP and Chino Hills SP

Major General Anthony L. Jackson, USMC (Ret), Director

August 5, 2013

Albert Martinez

Riverside County Flood Control and Water Conservation District

1995 Market Street

Riverside, CA 92501

Subject: Brineline Protection Project Mitigated Negative Declaration,
SCH # 2013071020

Dear Mr. Martinez:

The Inland Empire District of the Department of Parks and Recreation (State Parks) appreciates the opportunity to comment on the aforementioned project. State Parks is a Trustee Agency as defined by the California Environmental Quality Act (CEQA). Since a portion of this project occurs within Chino Hills State Park, State Parks will assume the role as a Responsible Agency, as defined by CEQA. State Parks' mission in part is to provide for the health, inspiration, and education of the people of California by preserving the state's extraordinary biodiversity and creating opportunities for high quality outdoor recreation. As the office responsible for the stewardship of Chino Hills State Park (Chino Hills SP), we have an interest and concern about contemplated alterations of land use within and adjacent to the park.

The following are our comments on the MND. Some comments we made on the administrative draft in October 2012 appear unaddressed.

Cultural Resources

Please cite your sources for determinations made regarding cultural resources.

Hours of Operation

We consider the project area not only important wildlife habitat but also a part of a wildlife corridor area that supports a wide variety of animal life whose activities occur during periods of darkness, daylight and/or both. Therefore, hours of operation in the park are limited to daylight only. Written approval will be required in advance of any work occurring during hours of darkness.

Recreational Trail Access

As stated in the document, access on the East Santa Ana River Trail will be maintained not just for emergency and patrol, but also for others having easements, such as utilities and for park visitors. Recreational access must be maintained throughout the project. Please provide the potential detour routes clearly shown on a map. Any proposed detours should also consider impacts related to providing alternate access.

High Fire Danger

The project area is in proximity of the origin of the 2008 Freeway Complex Fire and therefore is in what we consider a high fire danger area. We also have stringent fire safety precautions that we follow and impose on entities conducting projects within our parks. Those precautions include items such as having separate fire watch personnel to manage appropriate equipment for the entire duration of all equipment operation. We also require no work during red flag warning days, however, we can discuss fire preventive measures to avoid complete shut down on those days.

Erosion

Trees and tree sized shrubs can be so severely impacted from disturbance of more than 15% of their root zones to cause permanent damage or death. We would consider this a significant impact. We also have questions. What will you do when erosion occurs to expose the sheet pile? How much erosion will you allow to occur before you take action to repair it? We are concerned about what will happen during a big El Nino or mandated release from the dam when the sheet pile gets exposed. We expect impacts to aesthetics by exposure of structures. We also expect such events will create a wildlife crossing barrier for many species, from fish trying to get into Lower Aliso Creek for refugia (like the Santa Ana sucker), to reptiles, amphibians, insects other species depend on, small mammals and, potentially, large mammals if the erosion is many feet high.

Fish Movement

In Section Bio-D the MND states that the project will not impact any native or migratory fish. Aliso Creek is known to be occupied by native arroyo chub and is identified by the USFWS as refugia for the Santa Ana sucker. The MND should address specifics of how the project will maintain connectivity to the Santa Ana River for these species during project construction and describe methods to avoid impacts to their potential movement in and out of Aliso Creek.

Loss of Habitat

We recognize the vegetation in the project area is not high quality due to the non-native grasses, easement road and bike trail access in the area. However, it still provides habitat for a wide variety of species. Any temporary loss of habitat is viewed as a significant impact. At a minimum, site restoration with local native plants will be required and should include a five year monitoring period. We will require approval of the plant palette for all vegetation.

Environmental Sensitivity Training for Contractors

State Parks requests that an environmental sensitivity training be provided to all staff working on the project, explaining all avoidance and mitigation how they are to be implemented and maintained, and describing the sensitivities of working in a State Park as opposed to any other project site. State Parks will be available to assist with the development of the curricula for the training. When new contractors or staff start work on the project they should receive this training as well.

State Parks Emergency Response Plan

As mentioned in our comments last year, State Parks has an emergency response plan that is available for your review and that the project will be subject to.

Section Views

Please provide a cross section of the project to show the amount of land between the sheet pile and the river.

Hydrology

State Parks is concerned that hydrology may be affected. Groundwater recharge on both sides of the sheet pile will be affected at least for some distance. The soil under the road will be wetter and the zone just south of it will be drier, possibly enough to affect the long-term health of the plants there especially with climate change. Many of those plants have root zones that are not that deep and if we have successive years of less than average rainfall, surface soils will be drier just south of the wall at least down a few feet.

Traffic Control Plan

We will require approval of the Traffic Control Plan.

Coast Horned Lizard

State Parks staff, including biologists, have observed the coast horned lizard in the project area in the past. Focused surveys should be conducted and measures taken to avoid impacts, such as temporary barriers and preconstruction surveys which will relocate any horned lizards found outside the construction footprint. Identification and avoidance measures for horned lizard should be included in all environmental sensitivity trainings provided.

Chino Hills State Park General Plan

The Chino Hills SP General Plan, which can be found at <http://www.parks.ca.gov/pages/21299/files/chino%20hills%20finalgp.pdf> provides the

only land use Management Zones that govern land within the park. The park exists primarily to preserve the natural landscape features, its biological diversity, and low impact recreation. Please provide a discussion as to how the project is in conformance with the CHSP General Plan.

Thank you again for coordinating this project with us. For further discussion, please contact me or Enrique Arroyo at (951) 453-6848.

Sincerely,

A handwritten signature in black ink, appearing to read "Kelly Elliott". The signature is fluid and cursive, with a large initial "K" and "E".

Kelly Elliott
Chino Sector Superintendent
Inland Empire District

Responses to Comment Letter F (Wildlife Corridor Conservation Authority)

- F-1** Comment noted- please refer to *Responses to Comment Letter A* above. No new environmental issues have been raised by this comment and no modification of the IS/MND is required.

- F-2** Comment noted. Responses to the State Parks comment letter is contained in *Responses to Comment Letter A* above. No new environmental issues have been raised by this comment and no modification of the IS/MND is required.

WARREN D. WILLIAMS
General Manager-Chief Engineer



1995 MARKET STREET
RIVERSIDE, CA 92501
951.955.1200
FAX 951.788.9965
www.rcflood.org
153699

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

June 11, 2013

Ms. Karin Cleary-Rose
Inland Division Chief
U.S. Fish and Wildlife Service
777 East Tahquitz Canyon Way, Suite 208
Palm Springs, CA 92220

Ms. Heather Pert
Staff Environmental Scientist
California Department of Fish and Wildlife
Inland Desert Region
3602 Inland Empire Blvd., Suite C-220
Ontario, CA 91764

Dear Ms. Cleary-Rose and Ms. Pert:

Re: Western Riverside County MSHCP JPR 12-10-18-01 and DBESP, Inland Empire Brine Line Protection Project, Riverside County, California

The District received the comment letter dated April 5, 2013 for Joint Project Review 12-10-18-01 and Determination of Biological Equivalence or Superior Preservation for the Inland Empire Brine Line Protection Project (Project). The Project is located in northwest Riverside County north of the Santa Ana River and south of Chino Hills. We appreciate your review and comments, and offer the following clarifications to the points addressed in the letter.

Comment 1:

The project area is expected to be occupied by vireo and there is no site specific information regarding vireo territories, therefore, to be consistent with the MSHCP, vegetation removal must take place outside of the nesting season. Additionally, the Biological Technical Report states that construction activities will avoid the breeding season (March 15th to August 15th) if possible. But, if construction does occur during the breeding season that sound barriers will be erected prior to March 1st and left in place until the completion of construction to avoid impacts to nesting birds. If it is not feasible to construct the project outside of the nesting season, the Wildlife Agencies request the opportunity to review and approve the sound minimization measures.

Response 1:

In response to your request to review the sound minimization measures we have enclosed details and specifications for the sound barrier that will be utilized during construction for your information. The enclosed sound barrier is currently being used by the Army Corps of Engineers on the Santa Ana River, Reach 9, Phase 2A project which is located approximately 1,500 feet southwest of the Project area.

Comment 2:

*The proposed project is located within Additional Survey Needs and Procedure Area for burrowing owl (*Athene cunicularia*, burrowing owl) as described in Section 6.3.2 of the MSHCP. According to the Report, a habitat assessment was conducted on February 8, 2010. Suitable burrowing owl habitat was identified within the project footprint. Focused breeding season surveys were conducted August 16, 17, 19, and 24 of 2010. No sign of burrowing owl occupation was observed at the time of the surveys. The Wildlife Agencies request that an updated burrowing owl survey be conducted during the nesting season and that a DBESP for burrowing owl be provided if the species or its sign is detected onsite. The project has committed to conducting pre-construction surveys within 30 days of project construction to verify the absence of the species and avoid any possible direct mortality (Biological Technical Report, Section 6.1).*

Ms. Cleary-Rose and Ms. Pert
 Re: Western Riverside County MSHCP JPR 12-
 10-18-01 and DBESP, Inland Empire Brine
 Line Protection Project, Riverside County,
 California

-2-

June 11, 2013

Response 2:

As outlined in the Biological Technical Report prepared for the project (by Glenn Lukos Associates (GLA), January 30, 2013) the Project site does contain suitable habitat for burrowing owl; however, it is limited in size and is only marginally suitable. From page 9 of the report: "The majority of the Project site consists of an existing dirt road, which is not suitable habitat for the burrowing owl. The Project site includes vegetated areas located immediately north and south of the road, portions of which provide potentially suitable habitat for burrowing owls. As such, focused burrow and burrowing owl surveys were conducted." From page 24 of the report: western burrowing owl was "not detected during focused surveys. The burrowing owl is not expected to occur within the Project site since the habitat is marginal." According to David Moskovitz, biologist with GLA who conducted the focused survey and prepared the Biological Technical Report, it is not anticipated that the site conditions have changed since the focused survey was conducted and if an additional survey was conducted the same results would be expected. To comply with the MSHCP the District is required to have a qualified biologist conduct a pre-construction burrowing owl survey pursuant to MSHCP Objective 6 for burrowing owls (Volume II – Section B-Birds). Compliance with MSHCP Objective 6 for burrowing owl will ensure any active burrowing owl nests will be avoided.

Comment 3:

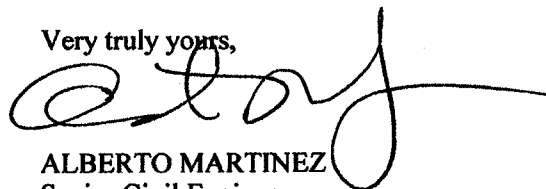
The riparian/riverine DBESP should demonstrate that the project, including any conservation measures, would be biologically equivalent or superior to an avoidance alternative for riparian/riverine resources. The proposed project will result in temporary impacts to 0.013 acre of streambed at the Aliso Canyon crossing, and 0.004 acre of scattered mule fat shrubs. In addition, the project will temporarily affect up to 0.029 acre of riparian vegetation along the edge of the Santa Ana River. The DBESP proposes to restore Aliso Canyon to pre-project conditions and replant vegetation where impacts occur without any further detail. An invasive species management plan (Plan) should be developed for impacts identified as unavoidable to riparian/riverine habitat. Implementation of the Plan should ensure that the existing condition of plant species abundance, composition, and diversity is preserved following restoration. The Wildlife Agencies request that in addition to restoration of temporary impact areas, the project provide perennial invasive plant species removal on 0.066 acre in the project area (in Aliso Canyon or along the Santa Ana River Trail, or in combination) to provide compensation for the temporal loss of riparian habitat that will result from project activities.

Response 3:

Because invasive plant species are prominent throughout the area, and would be expected to re-enter the removal area(s) following cessation of removal activities, this effort is anticipated to be of little value long-term for the overall Project area. However, the District is willing to provide invasive plant species removal as requested on 0.066 acre within the Project footprint for a maximum duration of up to 5 years following construction completion. This area would be in addition to the riparian restoration efforts and will be identified in the Habitat Mitigation and Monitoring Plan.

If you have any questions regarding the above information, please feel free to contact Mike Wong of the District's Environmental Regulatory Services Section at 951.955.1233 or me at 951.955.1299.

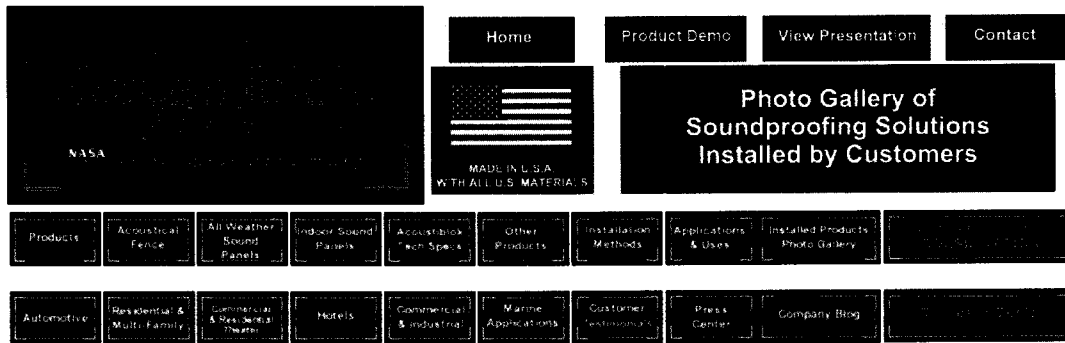
Very truly yours,



ALBERTO MARTINEZ
 Senior Civil Engineer

Enclosure

c: Stephanie Standerfer
 Regional Conservation Authority
 ec: Stuart McKibbin
 Mark Wills
 Mike Wong
 AM:blj



Introducing Acoustifence®

Acoustifence® was originally developed by the Acoustiblok corporation for offshore oil rig noise isolation, the Acoustifence has had proven success in many demanding applications. *World Fence News* defines Acoustifence as a "new defense against outdoor noise pollution". Commonly used in industrial usage, highways, construction sites, mass transit rail lines and even dog kennels, it is now available for residential use. It is a simple and economical first step in noise reduction which can truly make an improvement in your life and increase your privacy.

The Acoustifence is a unique 1/8th inch, 6' x 30' (3mm x 1.83m x 9.14m) heavy mineral filled, barium free visco elastic acoustical material. Longer lengths are available. It is made in the U. S. A. (from all USA materials) and, unlike fences or shrubs, this material does extraordinarily well in not only blocking direct sound, but a unique characteristic that sets it far apart from other sound barriers when dealing with very low frequencies, i.e. railroad/truck road noise and AC/heatpumps.

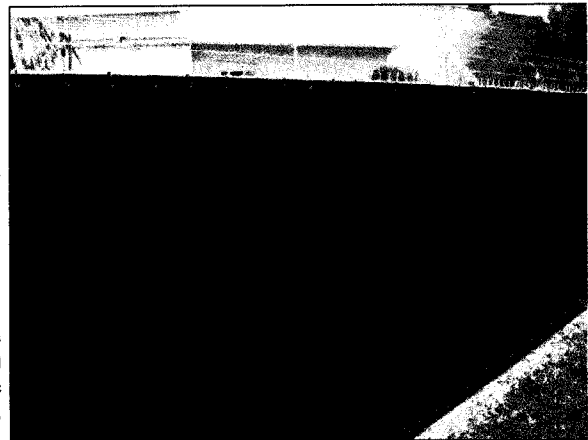
In frequencies of 50 Hz and below, the heavy limp Acoustifence material actually begins to vibrate from low frequency sound waves. In essence it is transforming these low frequency sound waves into mechanical movement and internal friction energy. Laboratory tests indicate that this transformation process reduces these low frequencies from penetrating the Acoustifence by over 60 percent relative to the human ear. In addition the Acoustifence becomes as an absorbent material in these frequencies with test results showing in an NRC (noise reduction coefficient) as high as 0.78 (1.00 being the max). As such it is clear that the Acoustifence not only reduces sound as a barrier, but also in very low frequencies, it acts as an acoustical absorbent material which is not reflecting back those low frequencies as other barriers would do (sheet lead works in the same manner).

While the indoor Acoustiblok material is used and recognized throughout the world, even winning awards in the British House of Commons, the new Acoustifence material is extremely strong and engineered to withstand outdoor construction sites, highway environments, and even offshore oil rigs. Full exposure to dirt, grease, oil, mold or even being driven over is not a problem for the Acoustifence.

Having black anodized brass eyelets every 6 inches on the top edge and some on the bottom, allows easy hanging or attaching of the fence to just about anything. Heavy duty nylon wire ties are supplied with the fence and stainless wire ties are available at additional cost. Multi-level construction projects can easily overlap multiple Acoustifences attached to scaffolding to achieve many floors of vertical height sound blockage.

Staggered wood shadow box privacy fences (which of course provide no acoustical privacy) can easily incorporate Acoustifence without changing the visual appearance. Simply remove the vertical wood slats on your side of the fence, install the Acoustifence and reinstall the wood vertical slats. This is very easily done and leaves the appearance intact while adding acoustical privacy. A hammer, small crowbar, screw gun and some non rusting screws should be all the tools required.

***Made in U.S.A. from all U.S. materials (Like All Our Products)**



"Residential neighbors next to our restaurant had complained about the noise coming from our outdoor patio, and we purchased three Acoustifences to block out the music and the noise in general. The neighbors seem much happier now, and we can keep our customers happy with music outdoors. Acoustifence® is definitely something we would recommend to Residential customers as well as Commercial customers."

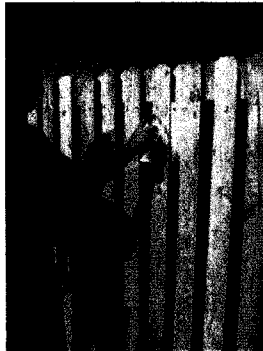
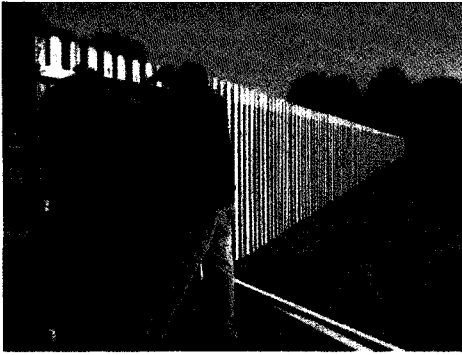
Celine G. Chick
Park Restaurant
Dallas, TX

"We love this product. First, I was amazed at how thin it is, my 14-year-old son and I installed it ourselves with no problem. Our neighbors complained that the noise from our yard was quite loud before we installed the Acoustifence, and now you can't hear a thing. People think the birds are gone."

Paula Carroll, owner of roosters, chickens and wild turkeys that were bothering the neighbors
Helena, Alabama

New Acoustifence-Landscape™ Attachments



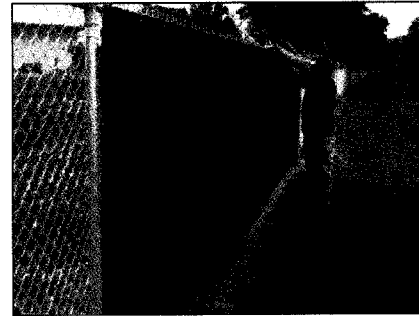


Shadow box fences are easy to convert to an acoustical sound barrier with Acoustifence. For added aesthetics, the Acoustifence can be painted with an outdoor latex based paint.

To help you with your expectations, consider your noise source as a light bulb in a totally black night. The fence will block direct light (the majority) from reaching you, but any surrounding higher structures or trees will allow some lesser reflections to reach you. Sound acts in virtually the same way, therefore, the more barrier between you and the source the better.

Note: "Sound Abatement" is a reduction in noise as nothing is "sound proof." And while the Acoustifence has been tested in independent certified acoustical labs and the measurements (STC 28, representing a 85% reduction to the human ear) are very accurate, your results will be less, and vary greatly depending on fence height, reflections off surrounding environment, distances, elevations, and noise frequencies. Be that as it may, putting a sound barrier such as Acoustifence between you and the noise should be the first, and most beneficial step in reducing your noise. For an additional hourly charge our engineering department can produce an acoustical prediction map of your location to better assess the sound reduction outcome. The program we use is Cadna A, considered the most advanced in the industry for out door noise predictions.

A big step up (and greater investment) from the Acoustifence is our All Weather Sound Panels which block more and absorb (non-reflecting) virtually all sound striking them. Feel free to call or email us with your noise problem.



Acoustifence® Installation

Number of people: 2 - 3

Time required: 30 - 40 min.

Items: Utility Knife, Pliers, Wire Cutter, 70 lb. nylon ties (included with purchase)

1. It is advisable to unroll the fence on the ground and let it relax in the sun for at least 3 hours.
2. Roll the fence back up. Lean the roll against the fence as vertical as possible with the grommet edge to the top. Line up the top of the roll to the top of the fence or at the desired height. Air must not go under the bottom of the fence.
3. Begin unrolling the Acoustifence along the fence. While one person slowly unrolls the material, the second person inserts the ties in each grommets and attaches to the fence or support structure. Leave ties very loose at this time. Insure that the material is kept taut (lengthwise) as you install the ties to prevent it from bunching up between ties. A third person is useful to help support the weight and keeping the fence pulled tight. Do not tighten the ties yet. Install all ties first keeping them loose.
4. Pull each tie so that the Acoustifence is properly lined up at the desired height. **DO NOT** make the nylon tie tight! It must be loose enough to allow the eyelet to pivot freely on the tie. Try to distribute weight equally using every grommet. (FIGURE A)
5. Increase the tension on each tie (do not fully tighten) such that the weight of the fence is evenly distributed. Do not trim off end of nylon tie until you are sure weight is evenly distributed. (You may even wait on this for several days to insure equal tension after material fully relaxes in place.
6. The end and bottom grommets should also be attached (again, loosely). The bottom and sides must not be allowed to flap or to be excessively loose such that when the wind blows it yanks back and forth on the bottom grommets. At the bottom add dirt on both sides, the full length of the fence. Air and sound must not be allowed under the fence.
7. If questions arise, please call 813-980-1400 or e-mail us at sales@acoustiblok.com

The ties must be loose enough to allow the fence to pivot

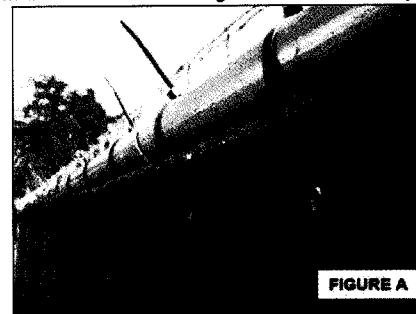


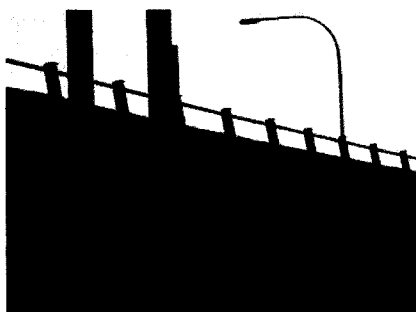
FIGURE A

NOTES

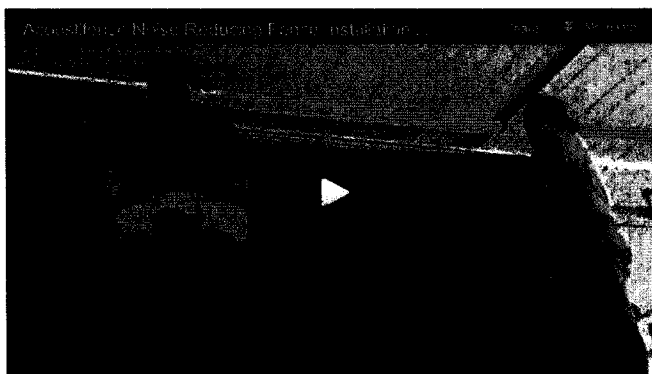
1. In high wind environments, especially if the Acoustifence is likely to be constantly flapping, it is highly recommended that the Acoustifence installation be reinforced. There are a variety of solutions depending on your application. Our acoustical consultants will discuss options with you that will fit your specific installation.
2. Cold temperatures will reduce flexibility during install. Attempting to unroll if material is at a very low temperature is not recommended. Find a way to warm up the roll, i.e., leave indoor until fence roll becomes room temperature.
3. Leave ties loose enough to allow the grommet to pivot on the ties. (FIGURE A)
4. Do not use "elastomeric" paint. An exterior vinyl acrylic latex paint is recommended.
5. Using nails or screws alone instead of the grommets to support the fence will possibly cause tears in the material. Sandwiching the material between two surfaces can help to overcome such tearing.



INSTALLATION RECOMMENDATIONS FOR HANGING MULTIPLE ACOUSTIFENCES HORIZONTALLY ON A CHAIN LINK FENCE



For almost 2 years the city of Seattle attempted to reduce the screeching noise of a light rail transportation line traveling through a residential area. Several other methods had been tried without success. The problem was recently resolved by simply attaching 5000 feet of AcoustiFence to the existing guardrail. No additional structural changes or skilled labor was required. Officials and residents are thankful the problem has finally been resolved. "Sometimes the simplest method is the best method, I highly recommend AcoustiFence".



Other features of Acoustifence:

- UV Tolerant
- Paintable (acrylic latex vinyl based)
- Easy to install or remove from existing fence
- Impervious to water
- Totally non-mold (rated 10 of 10)
- Made from over 90% recycled or organic material
- 100% recyclable
- Vermin proof
- Easily washed
- STC 28 independent lab certified
- Made in U.S.A. from all U.S. materials

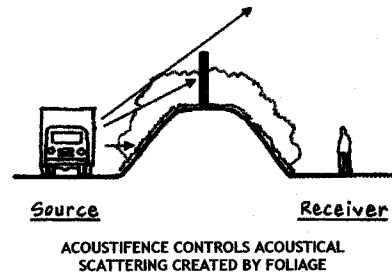
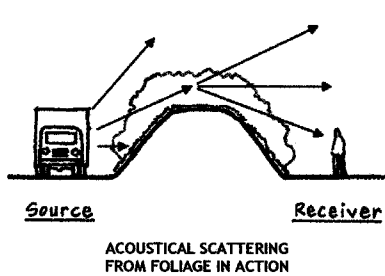
Acoustifence vs. Padded Sound Blankets

Unlike padded "blanket sound barriers," the Acoustifence:

- Is only 1/8" thick
- Is impervious to water or fluids
- Will not mold or mildew
- Will not develop or hold odors
- Will not weigh more when wet changing structural requirements
- Can easily wash off virtually anything including graffiti with power washer
- Will not become a home for vermin or insects
- Is printable for signage as well as paintable
- Will not hold oils or fluids which could be a fire or toxic hazard
- Takes much less space to store - each 30' section rolls up into a mere 11" roll
- Can even be used as temporary roofing

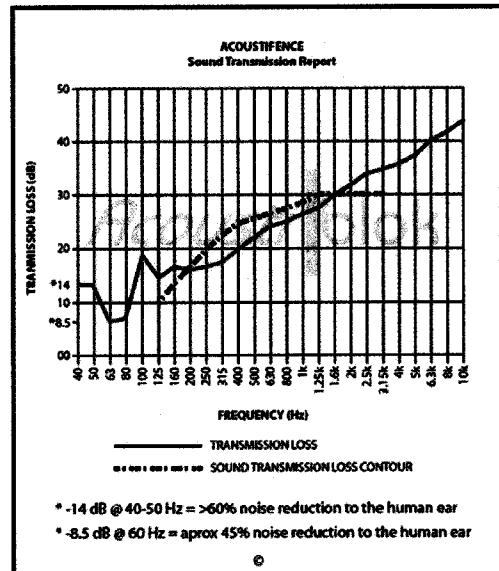
Reducing Road Noise Using Earth Berm with Foliage and Acoustifence

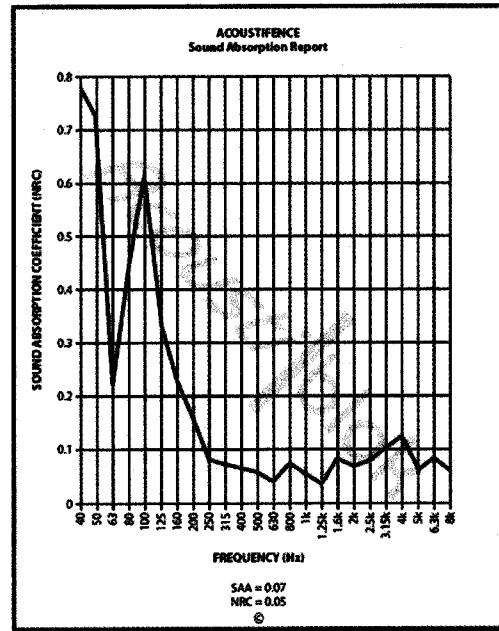
Trees and vegetation are not effective noise control barriers. Foliage or trees on earth berms can actually increase noise as sound is like light, reflecting off the foliage in all directions and of course, the higher the berm, the better. It is however far cheaper and more practical to increase the berm height by adding the Acoustifence than it is to add fill to the berm. Adding the 6 foot high Acoustifence to the berm can make a tremendous difference as it obviously increases the blocking protection while it also eliminates the sound reflecting off the foliage. The all weather Acoustifence can be hung from any substantial structure, i.e., chain link, pipe frame structure, or wood fence. Trees over the height of a barrier are a definite hinderance of a barriers performance. Acoustifence can also reduce very low frequencies, 40 to 50 Hz train, truck and AC/heat pump noise by over 60%.



Acoustifence Specifications

Acoustical Rating	STC 28 / OITC 22 Acoustical test per ASTM E90-04, ASTM E413-04 ASTM E2235-04
Size	6 ft. (1.83m) x 30 ft. (9.14m) x 0.125 in. (3mm) 180 ft ² (16.72m ²)
Approx weight	185 LB (84 kg)
Fastening	Black brass grommets every 6 in. (152mm) along top edge with four grommets spaced along the bottom edge. Commonly installed horizontally. Includes qty. 70, 11 in. heavy duty 120 lb. (black) nylon wire ties
Color	Black





(-10dB to the human ear represents approximately 50% reduction in sound/noise)

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The words "soundproofing" (100% Sound elimination), which is impossible to achieve with Acoustiblok material or any other product. The entire materials provided herein are for reference only Acoustiblok reserves the right to modify or revise the content at any time without prior notice.

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