

# **REPORT/RECOMMENDATION TO THE BOARD OF DIRECTORS OF SAN BERNARDINO COUNTY FLOOD CONTROL DISTRICT AND RECORD OF ACTION**

**November 15, 2022**

## **FROM**

**BRENDON BIGGS, Chief Flood Control Engineer, Flood Control District**

## **SUBJECT**

Agreement with Land Veritas Corporation to Purchase Environmental Mitigation Credits for the Hawker-Crawford Storm Drain Realignment Project

## **RECOMMENDATION(S)**

Acting as the governing body of the San Bernardino Flood Control District, approve **Agreement No. 22-1173** to purchase environmental mitigation credits from the Land Veritas Corporation, in the amount of \$332,000, for the mitigation of environmental impacts from the Hawker-Crawford Storm Drain Realignment Project.

(Presenter: Brendon Biggs, Chief Flood Control Engineer, 387-7906)

## **COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES**

**Ensure Development of a Well-Planned, Balanced, and Sustainable County.**

**Provide for the Safety, Health and Social Service Needs of County Residents.**

## **FINANCIAL IMPACT**

Approval of this item will not result in the use of Discretionary General Funding (Net County Cost). The San Bernardino County Flood Control District (District) is funded by property taxes, fees, and other local, state, and federal funding. The total cost of this Agreement will be funded by existing property tax revenue. Sufficient appropriation and revenue are included in the District's 2022-23 budget (1910002518 F02646).

## **BACKGROUND INFORMATION**

The Hawker-Crawford Storm Drain Realignment Project (Project) proposes to divert flows from the open channel south of Beach Avenue in the City of Rancho Cucamonga, into a newly constructed underground storm drain. This Project will result in indirect impacts to Waters of the United States and Waters of the State. The United States (U.S.) Army Corps of Engineers determined that the appropriate mitigation ratio for these impacts is 1.66:1, with a requirement for the District to purchase 1.66 acres of an Ephemeral Stream Combination Enhancement credits from an approved mitigation bank.

Approval of the Agreement will enable the District to purchase 1.66 acres of Ephemeral Stream Combination Enhancement credits from Land Veritas Corporation's Soquel Canyon Mitigation Bank for a total amount of \$332,000. These credits also mitigate for impacts to Waters of the State as Ephemeral Riparian Enhancement credits. The credits are required by the U.S. Army Corps of Engineers and the Santa Ana Regional Water Quality Control Board as compensatory mitigation. Compensatory mitigation is a permit requirement to offset impacts to jurisdictional waters caused by the abandonment of the existing alignment of Hawker-Crawford Channel.

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Unavoidable impacts to jurisdictional waters may be offset by purchasing credits through an approved mitigation bank for the in-kind purchase of enhancements to land owned by the Land Veritas Corporation.

A wetland or stream mitigation credit is a unit of trade used to offset ecological losses that occur in Waters of the U.S. or Waters of the State, which are jurisdictional and regulated by government agencies. Wetland and stream credits allow the District to satisfy its environmental mitigation permit needs prior to impacting wetlands or waters.

This action meets the County and the Chief Executive Officer's goals and objectives of ensuring the development of a well-planned, balanced, and sustainable community and providing for the safety, health and social service needs of County residents by securing credits to complete the construction of the Project.

**PROCUREMENT**

Not applicable.

**REVIEW BY OTHERS**

This item has been reviewed by County Counsel (Sophie A. Akins, Deputy County Counsel, 387-5455) on September 7, 2022; Finance (Carl Lofton, Administrative Analyst, 387-5404) on October 28, 2022; and County Finance and Administration (Paloma Hernandez-Barker, Deputy Executive Officer, 387-5423) on October 31, 2022.

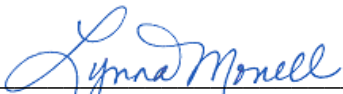
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Record of Action of the Board of Supervisors  
San Bernardino County Flood Control District

**APPROVED (CONSENT CALENDAR)**

Moved: Joe Baca, Jr. Seconded: Janice Rutherford  
Ayes: Col. Paul Cook (Ret.), Janice Rutherford, Curt Hagman, Joe Baca, Jr.  
Absent: Dawn Rowe

Lynna Monell, CLERK OF THE BOARD

BY   
DATED: November 15, 2022



cc: Flood - Pham w/agree  
Contractor - C/O Flood w/agree  
File - w/agree w/map  
CCM 11/28/2022