

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

**May 23, 2023**

**FROM**

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

**SUBJECT**

California Environmental Quality Act Finding and Agreement with City of Twentynine Palms for the El Rey Avenue Culvert Replacement Project

**RECOMMENDATION(S)**

Acting as the governing body of the San Bernardino Flood Control District:

1. Find that the El Rey Avenue Culvert Replacement Project at Twentynine Palms Channel in the City of Twentynine Palms is exempt under the California Environmental Quality Act, Title 14 of the California Code of Regulations Section 15301(a) Class 1 (alterations of existing facilities) and Section 15302(c) Class 2 (replacement or reconstruction of existing structures or facilities).
2. Approve the El Rey Avenue Culvert Replacement Project at Twentynine Palms Channel in the City of Twentynine Palms, as defined in the Notice of Exemption.
3. Approve Cooperative **Agreement No. 23-491** with the City of Twentynine Palms under which the San Bernardino County Flood Control District will design and reconstruct the El Rey Avenue Culvert Replacement Project at Twentynine Palms Channel in the City of Twentynine Palms, subject to the City of Twentynine Palms reimbursement of 100% of the roadway improvement costs, for a term that expires upon the earlier of December 13, 2028 or final completion and final payment.
4. Direct the Clerk of the Board of Supervisors to file and post the Notice of Exemption.  
(Presenter: Brendon Biggs, Chief Flood Control Engineer, 387-7906)

**COUNTY AND CHIEF FLOOD CONTROL ENGINEER GOALS & OBJECTIVES**

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

**Pursue County Goals and Objectives by Working with Other Agencies and Stakeholders.**

**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 El Rey Avenue Culvert Replacement Project at Twentynine Palms Channel in the City of Twentynine Palms (Project), currently estimated at \$2,897,063 will be funded (11.4%) by the City of Twentynine Palms (City) for an estimated share of \$329,063 and the remaining (88.6%) estimated share of \$2,568,000 will be funded by the San Bernardino County Flood Control District (District), with property tax revenue. Sufficient appropriation and revenue for the Project have been included in the District's 2022-23 budget (1960002540 F02749) and will be included in future recommended budgets.

**California Environmental Quality Act Finding and Agreement with City  
of Twentynine Palms for the El Rey Avenue Culvert Replacement  
Project  
May 23, 2023**

**BACKGROUND INFORMATION**

The Project consists of removing an existing corrugated steel pipe arch culvert on El Rey Avenue at Twentynine Palms Channel and replacing it with a new reinforced concrete box culvert and wingwalls. The Project also includes reconstructing approximately 200 feet of roadway, sidewalk, curb and gutter, installing handrails, reconstructing drainage inlets, regrading areas immediately upstream and downstream of the new culvert structure, and constructing rock slope protection.

Due to the large amount of roadway excavation required to remove the existing arched pipe culvert and construct the new larger box culvert, in the interest of public safety, the District will close El Rey Avenue, from State Highway 62 to Verbena Drive, to through traffic for approximately 60 working days. Convenient access to property owners adjacent to the Project and emergency vehicles will be provided. Traffic will be routed around the construction area on public streets. Additional measures will be taken to notify surrounding schools, businesses, and residences of the road closure and detour prior to construction start.

On November 25, 2020, the District's environmental staff reviewed this Project and identified two categorical exemptions applicable to the Project under California Environmental Quality Act (CEQA) Guidelines, Title 14 of the California Code Regulations, Section 15301 (c) Class 1 and Section 15302(c) Class 2. The Class 1 exemption allows for minor alteration of existing public or private structures. The Class 2 exemption allows for the replacement or reconstruction of existing structures or facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced. Additionally, in 2021, the District applied for and received State regulatory permits from the Colorado River Basin Regional Water Quality Control Board and California Department of Fish and Wildlife, thereby meeting the CEQA and State regulatory permit requirements necessary for Project implementation. When the Board of Supervisors (Board) considers the environmental finding, the filing and posting of a Notice of Exemption is recommended.

The Project is consistent with the County and the Chief Executive Officer's goals and objectives to provide for the safety, health, and social service needs of county residents by conveying flows to reduce the potential for roadway flooding during storm events, and to provide flood protection for the existing structures and residences within the Project area by improving drainage.

**PROCUREMENT**

The District anticipates presenting the Project's plans and specifications, as well as a recommendation to advertise for formal bids, to the Board for consideration in Summer 2023.

**REVIEW BY OTHERS**

This item has been reviewed by County Counsel (Sophie A. Curtis, Deputy County Counsel, 387-5455) on April 7, 2023; Finance (Carl Lofton, Administrative Analyst, 387-5404) on May 5, 2023; and County Finance and Administration (Paloma Hernandez-Barker, Deputy Executive Officer, 387-5423) on May 8, 2023.

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of Twentynine Palms for the El Rey Avenue Culvert Replacement  
Project  
May 23, 2023**

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

**APPROVED (CONSENT CALENDAR)**

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

Lynna Monell, CLERK OF THE BOARD

BY   
DATED: May 23, 2023



cc: Flood- Drake w/ agree  
Contractor c/o Flood w/ agree  
File w/ agree

JLL 06/2/2023