

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

**April 7, 2020**

**FROM**

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

**SUBJECT**

Elder Creek Channel Improvement Project – Initial Environmental Study with Mitigated Negative Declaration

**RECOMMENDATION(S)**

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

1. Adopt the Mitigated Negative Declaration and Notice of Determination for the District's proposed Elder Creek Channel Improvement Project (Project).
2. Approve the Project as defined in the Initial Study/Mitigated Negative Declaration (IS/MND).
3. Adopt the Mitigation Monitoring and Reporting Program (MMRP) for the Project as provided in Appendix G of the IS/MND.
4. Direct the Clerk of the Board to file the Notice of Determination for the Project.  
(Presenter: Brendon Biggs, Interim Chief Flood Control Engineer, 387-7906)

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

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

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

**FINANCIAL IMPACT**

Approval of this item will not result in the use of Discretionary General Funding (Net County Cost). The District is funded by property taxes, fees, and other local, state, and federal funding. The estimated filing fees for the Project IS/MND, including both state and local fees, are \$2,456.75. This cost is funded by property tax revenue. Sufficient appropriation and revenue have been included in the District's 2019-20 budget (1930002526).

**BACKGROUND INFORMATION**

The Elder Creek drainage system is located in the City of Highland. The Project includes the construction of approximately 2,100 linear feet of flood control improvements to the drainage system south of Old Greenspot Road and north of its confluence with Plunge Creek. The improvements include replacing the existing channel with a wider and deeper concrete channel system, replacing two existing road culverts with larger culverts, constructing a concrete bypass channel at the downstream end of the Project to convey storm flows, and converting an existing earthen channel segment into an expanded low-flow channel that supports wildlife functions and values. The Project also includes routine maintenance of the newly constructed features. This Project provides enhanced flood protection to residents while restoring and increasing wildlife habitat onsite.

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The California Environmental Quality Act (CEQA) Guidelines require that an environmental document be prepared, circulated for public review and comment, and adopted by the Board of Supervisors (Board) prior to the Board's approval of the Project and filing of a Notice of Determination (NOD). The purpose of the aforementioned document is to disclose and minimize any potential adverse environmental impacts resulting from the proposed Project. Earlier in the environmental review process, District staff determined that the appropriate environmental document to prepare for the proposed Project would be an IS/MND.

The proposed Project meets the County and Chief Executive Officer's goals and objectives of providing for the health and safety needs of County residents by constructing flood control improvements, while working with other agencies to minimize and mitigate for related environmental impacts.

On September 27, 2019, a Notice of Intent (NOI) to adopt a Mitigated Negative Declaration for the Project was published in the San Bernardino Sun. As part of the public review process, copies of the IS/MND were circulated to adjacent property owners and applicable responsible and trustee agencies, including the Office of Planning and Research, State Clearinghouse (No. 20190099095). The deadline to submit comments was October 30, 2019. One comment was received and is addressed in Section 7, *Comments and Responses*, of the IS/MND. The final IS/MND addresses the public comment received, and also includes minor text changes and clarifications, corrections to environmental impact acreages, and minor design changes to accommodate future storm drain connections by the City of Highland. It has been determined that the clarifications, corrections and changes contained in the final environmental document do not meet the definition of "substantial revision" under Section 15073 of the CEQA Guidelines and therefore recirculation of the document is not required.

By adopting the Mitigated Negative Declaration pursuant to CEQA, the Board is finding that the Project will not have a significant effect on the environment after implementation of the mitigation measures identified in the IS/MND. Mitigation measures include, but are not limited to, biological and archaeological monitoring during ground disturbing activities, implementing noise reduction measures for residents such as the use of non-impact pile driving equipment, vibration monitoring, temporary relocation of affected residents and installation of applicable noise barrier fencing, and preparing a Stormwater Pollution and Prevention Plan. Satisfaction of the CEQA requirements will allow the District to obtain Federal and State regulatory permits needed to construct the Project.

District staff recommends that the Board adopt findings that the construction and maintenance of the Project will not have a significant effect on the environment after the implementation of mitigation measures under the CEQA Guidelines, adopt the MMRP, and direct the Clerk of the Board to file the NOD.

**PROCUREMENT**

Not applicable.

**REVIEW BY OTHERS**

This item has been reviewed by County Counsel (Sophie A. Akins, Deputy County Counsel, 387-5455) on March 6, 2020; Finance (Jessica Trillo, Administrative Analyst, 387-4222) on March 16, 2020; and County Finance and Administration (Matthew Erickson, County Chief Financial Officer, 387-5423) on March 23, 2020.

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

**APPROVED (CONSENT CALENDAR)**

Moved: Robert A. Lovingood Seconded: Josie Gonzales

Ayes: Robert A. Lovingood, Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales

Lynna Monell, CLERK OF THE BOARD

BY   
DATED: April 7, 2020



cc: Flood- Briggs w/NOD w/receipt  
File- Flood w/NOD w/receipt w/CD  
la 04/9/2020