



ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, ZONE 7

100 NORTH CANYONS PARKWAY • LIVERMORE, CA 94551 • PHONE (925) 454-5000 • FAX (925) 454-5727

ORIGINATING SECTION: INTEGRATED PLANNING

CONTACT: ELKE RANK/CAROL MAHONEY

AGENDA DATE: March 20, 2013

ITEM NO. 7a

SUBJECT: Arroyo Mocho Stanley Reach Riparian Restoration and Channel Enhancement Project – CEQA Compliance and Project Approval

SUMMARY:

- The existing channel and in-stream facilities in the Project reach sufficiently provide flood protection, local sediment management, and groundwater recharge. However, the trapezoidal channel leaves much room for improvement such as added habitat and water quality improvements, and aesthetic quality. Further, the large in-stream structures are considered barriers to fish passage; while fish are not currently present, Arroyo Mocho has been identified as having a potential for contributing to the recovery of steelhead in the Alameda Creek Watershed.
- The goal of this Project is to demonstrate the feasibility of transforming a traditional earthen trapezoidal flood protection channel in an urban setting into a vegetated stream reach exhibiting natural fluvial and ecological function, while also maintaining its core functionality for flood protection, local sediment management, and groundwater recharge.
- Pursuant to the California Environmental Quality Act (CEQA), an Initial Study/draft Mitigated Negative Declaration (IS/MND) was prepared and distributed for public comment. The IS/MND was mailed on February 28 to neighbors and interested parties. One comment letter was received.
- The Initial Study found four potentially significant impacts that can be mitigated to a level that is less than significant; these are temporary construction-related impacts.

RECOMMENDED ACTION:

Upon receipt of any public comment at the March Board meeting, adopt the attached resolution, which will adopt and certify the Final Initial Study / Mitigated Negative Declaration and associated Mitigation Monitoring and Reporting Program.

ATTACHMENTS:

- Staff memo providing additional background and discussion on agenda item
- Final IS/MND on Zone 7 website (<http://www.zone7water.com/publications-reports/environmental-review-documents>)
- Resolution

Interoffice Memo

Date: March 12, 2013
To: Jill Duerig, General Manager
From: Elke Rank, Integrated Planning
Subject: Arroyo Mocho Stanley Reach Riparian Restoration and Channel Enhancement Project – CEQA Compliance

SUMMARY:

This project is located in the Arroyo Mocho riparian corridor, generally adjacent to Stanley Boulevard near Isabel Avenue (Hwy 84) and Murrieta Boulevard, in Livermore (see Figure 1).

The goal of this Project is to demonstrate the feasibility of transforming a traditional earthen trapezoidal flood protection channel in an urban setting into a vegetated stream reach exhibiting natural fluvial and ecological function, while also maintaining its core functionality for flood protection, local sediment management, and groundwater recharge. The approach being taken uses state of the art, naturally functioning in-stream structures to guide natural stream processes rather than controlling them, coupled with substantial streamside vegetation planting to stabilize banks, reduce velocities, and increase habitat values.

Pursuant to the California Environmental Quality Act (CEQA), an Initial Study/draft Mitigated Negative Declaration (IS/MND) was prepared and distributed for public comment. The CEQA document was mailed to neighbors and interested parties on January 28, 2013, and was made available at the Livermore Library at 1188 South Livermore Ave. CEQA requires a public review period, which was January 29, 2013 to March 4, 2013. Zone 7 also placed a notice of availability in the Valley Times and posted the document on our website.

BACKGROUND:

The objectives for this Project are to explore:

- Reducing velocities with non-structural techniques;
- Options for riparian restoration that are compatible with flood protection, sediment management, and water supply;
- Reducing water temperatures by introducing tree canopy;
- Enhancing habitat by removing fish passage barriers and adding habitat features;
- Engaging and training volunteers to collaborate toward a long-term successful project; and
- Alternative funding sources, such as mitigating partners.

The project will be completed in two phases over the next 4 to 5 years, with ongoing vegetation maintenance thereafter.

Phase 1 – upstream of Isabel Avenue (approximate timing 2013-2015):

- Maintenance of sedimentation basin
- Removal of upstream dragon's tooth drop structure and 3 grade control drop structures
- Installation of two roughened channels in place of drop structures
- Vegetation enhancements

Phase 2 – downstream of Isabel Avenue (approximate timing 2015-2017, pending financing):

- Removal of downstream dragon's tooth drop structure
- Installation of one roughened channel in place of drop structures

Vegetation Management (approximate timing 2014-2024):

- Active vegetation management to encourage the desired canopy density while also creating access zones for future channel maintenance



Figure 1. Project Location – Arroyo Mocho, Stanley Blvd. in Livermore CA

CEQA/Project Approval. Zone 7 acts as the lead agency for its projects subject to the California Environmental Quality Act (CEQA). Pursuant to CEQA, the purpose of an Initial Study is to:

- determine whether the project may have a significant effect on the environment. (i.e. whether an EIR or Negative Declaration should be prepared);
- identify measures that mitigate project impacts to a less than significant level (mitigated negative declaration);
- define the scope of the EIR, if one is required;
- justify lead agency's decision to adopt a Negative Declaration, if one is prepared; and
- determine whether to rely on a previously prepared EIR.

A public agency shall prepare a proposed negative declaration or mitigated negative declaration for a project subject to CEQA when:

- the initial study shows that there is no substantial evidence, in light of the whole record before the agency, that the project may have a significant effect on the environment, or
- the initial study identifies potentially significant effects, but:
 - revisions in the project plans or proposals made by, or agreed to by the applicant before a proposed mitigated negative declaration and initial study are released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur, and
 - there is no substantial evidence, in light of the whole record before the agency, that the project as revised may have a significant effect on the environment.

Further, CEQA requires that, as the Lead Agency, Zone 7 establish a program to monitor and report on measures adopted as part of the environmental review process to reduce, eliminate or avoid potentially significant effects on the environment. The Mitigation Monitoring and Reporting Program (MMRP) for the Arroyo Mocho Stanley Reach Project is designed to ensure that the mitigation measures identified in the IS/MND for the project are implemented and monitored appropriately.

Zone 7 is addressing under a separate agenda item in this meeting the agreement with Alameda County Surplus Property Authority for the use of portions of the Arroyo Mocho Stanley Reach Project for their mitigation needs of a separate project.

DISCUSSION:

Environmental Impacts.

Per the requirements of the California Environmental Quality Act, an Initial Study and draft Mitigated Negative Declaration (IS/MND) has been prepared for this project. The analysis identified potentially significant impacts in the following resource areas: Air Quality, Biology, Noise, and Water Quality. All of these potential impacts would be temporary and mitigation measures would reduce all of these potential impacts to levels that are considered less than significant.

Public Comments. No comment letters were received from the public. One letter was received from California Department of Transportation. Following is a summary of their comments and Zone 7's responses.

Caltrans Comment (summarized)	Zone 7 Response (summarized)
1. Document requires discussion of financing, scheduling, implementation of mitigation measures	Because this is a restoration project, the project is designed to yield a net benefit to the environment. Therefore, no compensatory mitigation (e.g., creation of lost habitat, etc.) is proposed.
2. As a result of the project, a change in the channel profile is expected, which could jeopardize the integrity of existing SR-84 bridge foundation.	The design includes many features to stabilize the channel gradient including the large keystone matrix, upstream key trench, side cutoff trenches, and flow-resistant vegetation.

3. Introduction of woody debris that may accumulate around SR-84 bridge piers, which may warrant a maintenance agreement with Caltrans.	Zone 7 will implement a specially designed long-term maintenance program as part of this project. Accumulation of woody debris is not anticipated.
4. Describe riparian enhancement work downstream of Hwy 84.	Currently no riparian enhancement is proposed downstream of SR-84; only the replacement of the Dragon's teeth energy dissipation structure with a roughened channel is proposed.
5. An encroachment permit is required for work on the State right-of-way	The work will not be within the State right-of way and therefore no encroachment permit will be needed from Caltrans.

Final IS/MND. Following the public comment period, Zone 7 staff finalized the IS/MND. Minor changes were made to the MND, only to clarify some of the issues raised by Caltrans.

Next steps. Following approval, a Notice of Determination must be prepared within five days. There is a required 30-day public protest period following the filing of the Notice of Determination, during which time a person or agency may challenge the approval of the project. However, construction may commence following the filing of the Notice of Determination.