

915B



SUBMITTAL TO THE FLOOD CONTROL AND WATER CONSERVATION DISTRICT BOARD OF SUPERVISORS COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

FROM: General Manager-Chief Engineer

SUBMITTAL DATE:
June 21, 2016

SUBJECT: Adopt Resolution No. F2016-19 Authorization to Convey Easement Interest in Real Property Over a Portion RCFC Parcel 2503-504 (APN 290-660-025) to County of Riverside by Easement Deed; CEQA Findings of Exemption; Temescal Canyon-Towhee Lane Channel, Project No. 2-0-00503, District 1 [\$0]


- RECOMMENDED MOTION:** That the Board of Supervisors:
1. Find that the Project is exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Sections 15301, 15304, and 15061(b)(3); and
 2. Adopt Resolution No. F2016-19 Authorization to Convey Easement Interest in Real Property over a portion of Assessor's Parcel Number 290-660-025 to County of Riverside by Easement Deed, located in the unincorporated area of Corona, County of Riverside, State of California;
 3. Authorize the Chairman of the District's Board of Supervisors to execute the Easement Deed in favor of the County of Riverside; and
 4. Direct the Clerk of the Board to file the Notice of Exemption with the County Clerk within five (5) days of approval by the Board of this conveyance of easement interest in real property.

BACKGROUND:

Summary

See Page 2.

AU:rlp
P8\204616



JASON E. UHLEY
 General Manager-Chief Engineer

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ 0	\$ 0	\$ 0	\$ 0	Consent <input type="checkbox"/> Policy <input type="checkbox"/>
NET DISTRICT COST	\$ 0	\$ 0	\$ 0	\$ 0	

SOURCE OF FUNDS: N/A

Budget Adjustment: No

For Fiscal Year:

C.E.O. RECOMMENDATION:

APPROVE

BY: 

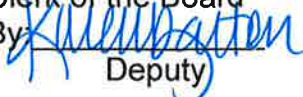
Steven C. Horn

County Executive Office Signature

MINUTES OF THE FLOOD CONTROL AND WATER CONSERVATION DISTRICT

On motion of Supervisor Tavaglione, seconded by Supervisor Ashley and duly carried, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Tavaglione, Benoit and Ashley
 Nays: None
 Absent: Washington
 Date: June 21, 2016
 xc: Flood, Recorder

Kecia Harper-Ihem
 Clerk of the Board
 By: 

 Deputy

Prev. Agn. Ref.: | District: 1st | Agenda Number:

11-5

FORM APPROVED COUNTY COUNSEL
 BY: GREGORY P. PRIAMOS
 DATE: 5/25/16

A-30
 Positions Added
 4/5 Vote
 Change Order

**SUBMITTAL TO THE FLOOD CONTROL AND WATER CONSERVATION DISTRICT
BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

FORM 11: Adopt Resolution No. F2016-19 Authorization to Convey Easement Interest in Real Property over a Portion RCFC Parcel 2503-505 (APN 290-660-025) to the County of Riverside by Easement Deed; CEQA Findings of Exemption; Temescal Canyon-Towhee Lane Channel, Project No. 2-0-00503, District 1 [\$0]

DATE: June 21, 2016

PAGE: Page 2 of 2

BACKGROUND:

Summary (continued)

On November 26, 2013 the Board of Supervisors for the District approved a Cooperative Agreement ("Agreement") concerning the development of an offsite channel associated with Tract No. 31908, owned by Starfield Sycamore Investors, L.L.C. ("Starfield"). This facility is located southwest of Interstate 15 and south of Santiago Canyon Road. Per the terms of the Agreement, Starfield would construct and convey to the District the fee title to the area necessary to operate and maintain Temescal Canyon-Towhee Lane Channel ("Channel"). On September 5, 2014 a Grant Deed was recorded as Instrument No. 2014-0337547, records of the Recorder's Office, Riverside County, State of California, referenced as Parcel 2503-504, identified as Assessor Parcel Number 290-660-025, being approximately 0.44 acre.

The conditioning for Tract No. 31908 and Channel was prior to any surrounding development, therefore, Tract No. 31908 project had to protect the subdivision without any anticipated future development. The District was aware that Starfield owned the property surrounding the Channel and was in the preliminary planning phase for Tentative Tract 36317 and 36317-1 (TT's) when they conveyed Parcel 2503-504. It was understood that the right of way for the Channel included slopes that protected the facility in its current condition and that upon the mass grading and development of the TT's, the slopes would no longer be necessary. The District reviewed the TT's engineering plans and determined that Starfield's proposal to use the slope areas for street purposes would benefit the public and provide the District access to the Channel via a fully improved street right of way with a driveway approach. Therefore, the District would like to convey an easement for street and utility purposes to the County of Riverside for Towhee Lane.

Pursuant to the California Water Code Appendix §48-9, the Board of Supervisors for the District has the power to grant any interest in real property which it owns to public agencies where such grant does not interfere with the use of the real property for the purposes of the District. Staff has evaluated and determined that the conveyance of the easement interest to the County of Riverside will not interfere with the use of the property for the purposes of the District since the easement area will allow necessary access to the District's facility.

Pursuant to the California Environmental Quality Act (CEQA), the conveyance of the easement interest ("Project") was reviewed and determined to be categorically exempt from CEQA under CEQA Guidelines Sections 15301, Class 1 - Existing Facilities; Class 4 Minor Alterations; and 15061(b)(3), the "Common Sense" exemption. Road improvements and the underground flood facilities already exist upon and under the surface of the property. Therefore the proposed Project is merely to formalize an easement interest from one public agency to another and will not prompt physical changes to the environment or the land. In addition, the project is exempt under CEQA Guidelines Section 15061(b)(3) because it can be seen with certainty that there is no possibility that the activity in question will have a significant effect on the environment.

Resolution No. F2016-19 has been approved as to form by County Counsel.

Impact on Residents and Businesses

This project is a conveyance to a public agency and there is no impact to the Residences or Business.

ATTACHMENTS:

1. Resolution No. F2016-19
2. Regional Map of the subject area
3. Easement Deed to County of Riverside for Parcel 2503-505
4. Exhibit "A" Legal Description and Exhibit "B" Plat Map for Easement
5. Notice of Exemption (NOE) and Authorization to Bill to pay NOE filing fee

BOARD OF SUPERVISORS **RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT**

RESOLUTION NO. F2016-19

AUTHORIZATION TO CONVEY EASEMENT INTEREST IN REAL PROPERTY
OVER A PORTION OF RCFC PARCEL 2503-504
A PORTION OF ASSESSOR'S PARCEL NUMBER 290-660-025
TO COUNTY OF RIVERSIDE BY EASEMENT DEED
TEMESCAL CANYON-TOWHEE LANE CHANNEL; PROJECT NO. 2-0-00503

WHEREAS, the Riverside County Flood Control and Water Conservation District ("District") owns certain real property, granted in fee title to the District per Instrument No. 2014-0337547, recorded on September 5, 2014, within APN 290-660-025, consisting of approximately 0.44 acre of land, identified as RCFC Parcel 2503-504 ("Channel"). Channel is located southwest of Interstate 15 and south of Santiago Canyon Road in the unincorporated area of Corona, County of Riverside, State of California, that was dedicated to the District pursuant to that certain Cooperative Agreement between the County of Riverside ("County"), District, and Starfield Sycamore Investors, L.L.C. ("Starfield") dated November 26, 2013 ("Agreement") for the purposes of constructing certain flood control facilities in order to provide flood protection and drainage for Tract No. 31908; and

WHEREAS, Starfield owned the Channel property and the surrounding vacant unimproved property, it was understood that there would be right of way in excess to the District's maintenance needs once the properties surrounding the Channel developed; and

WHEREAS, the District reviewed the two tentative tracts referenced as TT 36317 and TT 36317-1 surrounding the Channel, owned by Starfield, and determined that Starfield's proposal to use the excess Channel right of way for street purposes would benefit the public and provide access to the Channel via improved street right of way.

WHEREAS, pursuant to the California Water Code Appendix Ch. 48, Section 9, the Board of Supervisors for the District has the power to grant any interest in real property it owns to other public agencies where such grant does not interfere with the use of the real property for the purposes of the District.

FORM APPROVED COUNTY COUNSEL
BY: Synthia M. Gunzel 5-25-16
SYNTHIA M. GUNZEL DATE

1 WHEREAS, the District has reviewed and determined that the conveyance of an
2 easement for an existing road is categorically exempt from the California Environmental Quality
3 Act ("CEQA") pursuant to State CEQA Guidelines Sections 15301 "Existing Facilities" and
4 15304 "Minor Alterations to Land", as the District is merely granting an easement interest from
5 one public agency to another for an existing road. Furthermore, the project is also consistent with
6 State CEQA Guidelines Section 15061(b)(3), "Common Sense Exemption" because it can be
7 seen with certainty that there is no possibility that the proposed project may have a significant
8 effect on the environment.

9 NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by the
10 Board of Supervisors ("Board") of the Riverside County Flood Control and Water Conservation
11 District, in regular session assembled on or after June 21, 2016, at or after 9:00 a.m., in its
12 meeting room located on the 1st Floor of the County Administrative Center, 4080 Lemon Street,
13 Riverside, California, with at least four-fifths of all members concurring, finds that the
14 environmental impacts of the project have been sufficiently assessed and have been determined
15 that the proposed action qualifies for a "Class 1 Categorical Exemption" pursuant to Article 19 of
16 the CEQA, State CEQA Guidelines: Sections 15301, 15304, and Section 15061(b)(3) because it
17 can be seen with certainty that there is no possibility that the activity in question will have a
18 significant effect on the environment because the District is merely conveying an easement
19 interest from one public agency to another for an existing road.

20 BE IT FURTHER RESOLVED, DETERMINED AND ORDERED by a vote of this
21 Board that this Board finds that the proposed easement conveyance would not unreasonably
22 interfere with the use of the Property for the District's purposes.

23 BE IT FURTHER RESOLVED, DETERMINED AND ORDERED that the Board
24 authorizes the conveyance of an easement for road and utility purposes to County of Riverside,
25 over a portion of real property described with Assessor's Parcel Number 290-660-025, also
26 referenced as RCFC Parcel No. 2503-505, more particularly described in Exhibit "A" and shown
27 in Exhibit "B", being approximately 5087 square feet.
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BE IT FURTHER RESOLVED, DETERMINED AND ORDERED that the Chairman of the Board of Supervisors of the District is authorized to execute the Easement Deed on behalf of the District.

ROLL CALL:

Ayes: Jeffries, Tavaglione, Benoit and Ashley
Nays: None
Absent: Washington

The foregoing is certified to be a true copy of a resolution duly adopted by said Board of Supervisors on the date therein set forth.

KECIA HARPER-IHEM, Clerk of said Board

By 
Deputy

EXHIBIT "A"

SHEET 1 OF 1

IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA:

BEING THAT PORTION OF PARCEL 1 OF PARCEL MAP NO. 34609, FILED IN BOOK 224, PAGES 45 THROUGH 49, INCLUSIVE OF PARCEL MAPS, RECORDS OF SAID RIVERSIDE COUNTY ALSO BEING A PORTION OF RCFC PARCEL NO. 2503-504 AS DESCRIBED IN A DEED TO THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT (RCFC&WCD) PER DOCUMENT RECORDED SEPTEMBER 5, 2014 AS DOCUMENT NO. 2014-0337547 OF OFFICIAL RECORDS DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWESTERLY CORNER OF SAID RCFC PARCEL;

THENCE SOUTH 5°13'03" EAST ALONG THE WESTERLY LINE THEREOF, A DISTANCE OF 55.49 FEET;

THENCE SOUTH 89°06'31" EAST, A DISTANCE OF 353.53 FEET TO THE EASTERLY LINE OF SAID RCFC PARCEL;

THENCE NORTH 0°53'41" EAST ALONG SAID EASTERLY LINE A DISTANCE OF 6.03 FEET TO AN ANGLE POINT THEREIN;

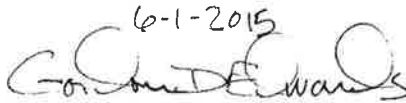
THENCE NORTH 89°06'35" WEST ALONG THE NORTHERLY LINE OF SAID RCFC PARCEL, A DISTANCE OF 296.69 FEET TO AN ANGLE POINT THEREIN;

THENCE NORTH 0°53'25" EAST ALONG THE EASTERLY LINE OF SAID RCFC PARCEL, A DISTANCE OF 49.15 FEET TO AN ANGLE POINT THEREIN;

THENCE NORTH 89°06'35" WEST ALONG THE NORTHERLY LINE OF SAID RCFC PARCEL, A DISTANCE OF 62.74 FEET TO THE POINT OF BEGINNING.

CONTAINING 5087 SQUARE FEET, MORE OR LESS.

PREPARED BY ME OR UNDER MY DIRECTION

6-1-2015


GORDON D EDWARDS, PLS 6678
EXPIRES 6-30-2016





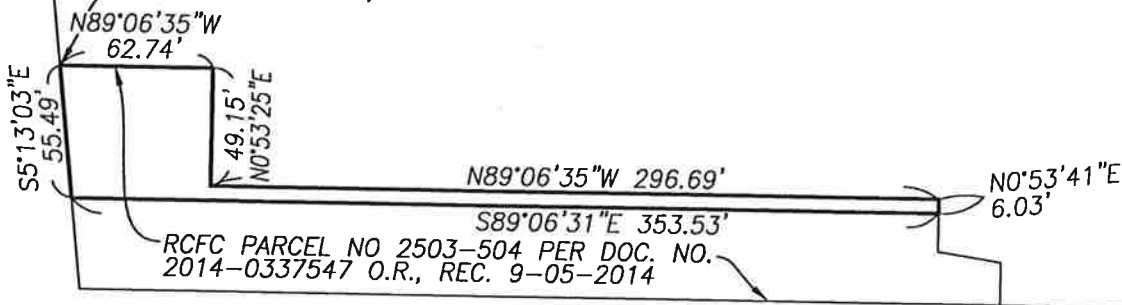
1" = 80'

PORTION PARCEL 1
PM NO. 34609
PMB 224 / 45-49

RS 68 / 51

POB

NW'LY CORNER RCFC PARCEL NO.
2503-504 PER DOC. NO.
2014-0337547 O.R., REC. 9-05-2014



POR. SECTION 13
T. 5 S., R. 6 W. S.B.M.



PLAT PREPARED BY:

adkan
ENGINEERS

CM Engineering · Surveying · Planning
6879 Airport Drive, Riverside, CA 92504
Tel:(951) 688-0241 · Fax:(951) 688-0599

JOB NO. 8613

DATE: 6-01-2015

CLIENT: FORESTAR MANAGEMENT

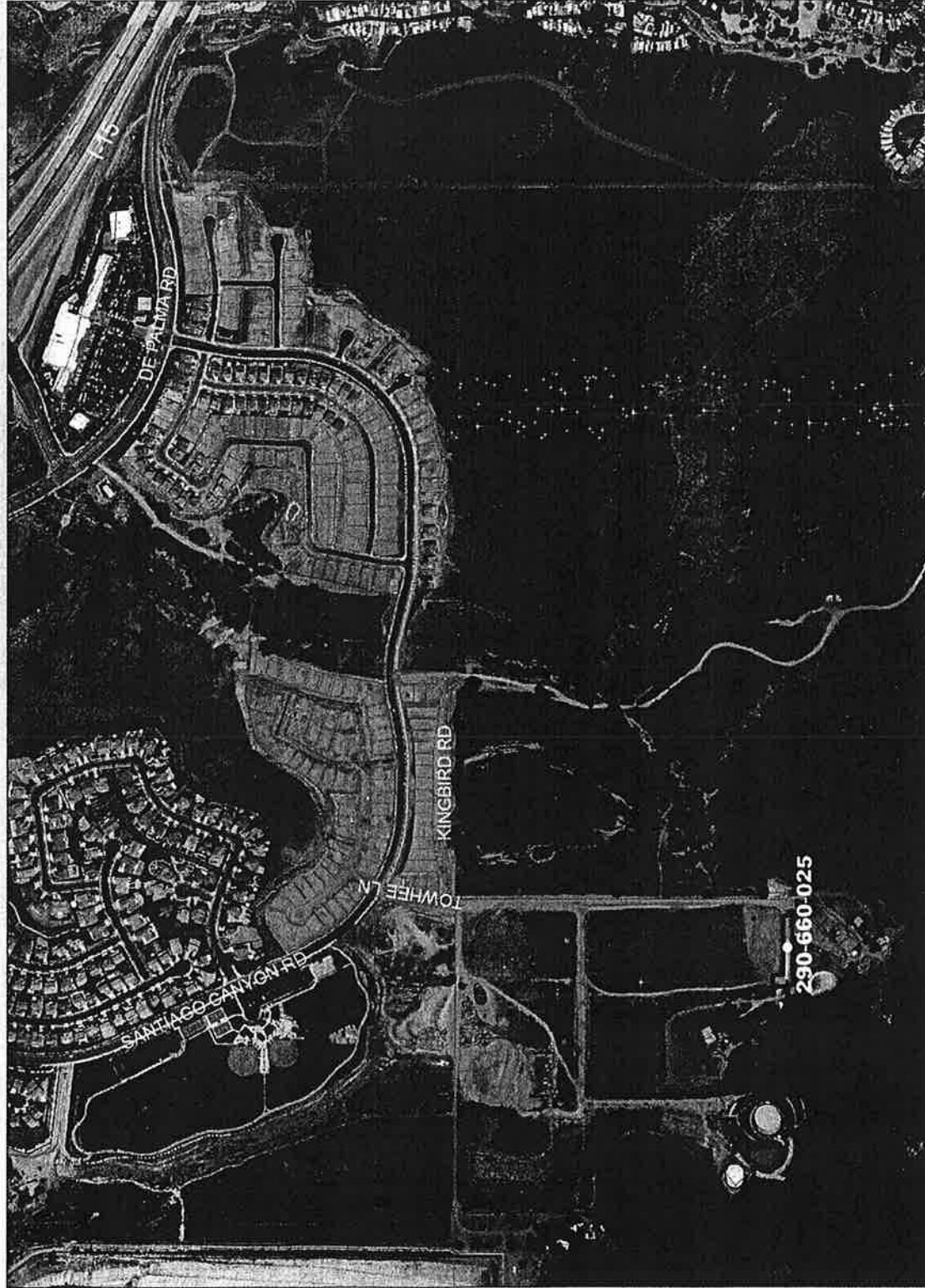
APPROVED BY:

GORDON D EDWARDS, PLS 6678

RIVERSIDE COUNTY FLOOD
CONTROL AND WATER
CONSERVATION DISTRICT

Subject: Authorization to Convey Easement Interest in Parcel 2503-504

Location: Temescal Canyon Towhee Lane Channel



Legend

- City Boundaries
- Cities

Notes
APN 290-660-025
District 1

IMPORTANT Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.



REPORT PRINTED ON... 5/16/2016 11:10:40 AM

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FOR RECORDER'S USE
RETURN TO: STOP NO. 1080
RIVERSIDE COUNTY SURVEYOR'S OFFICE
4080 LEMON STREET, 8TH FLOOR
RIVERSIDE, CA 92501

THIS INSTRUMENT IS FOR
THE BENEFIT OF THE
COUNTY OF RIVERSIDE AND
ENTITLED TO BE RECORDED
WITHOUT FEE. (GOV. CODE
6103)

CERTIFICATE of ACCEPTANCE of EASEMENT
(GOVERNMENT CODE SECTION 27281)

THIS IS TO CERTIFY that the interest in real property granted by the easement dated _____, from Riverside County Flood Control and Water Conservation District, a body politic, to the COUNTY OF RIVERSIDE, is hereby accepted for the purpose of vesting title in the County of Riverside, a political subdivision of the state of California, on behalf of the public for public road and utility purposes, including drainage purposes, and will be included into the County Maintained Road System by the undersigned on behalf of the Board of Supervisors pursuant to the authority contained in County Ordinance No. 669. Grantee consents to recordation thereof by its duly authorized officer.

Dated: _____ COUNTY OF RIVERSIDE

Juan C. Perez
Director of Transportation

By: _____ DEPUTY

TEMESCAL CANYON-TOWHEE LANE CHANNEL
PROJECT NO. 2-0-00503
RCFC PARCEL 2503-505

PUBLIC ROAD & UTILITY EASEMENT

**RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERAVATION DISTRICT,
A BODY POLITIC,**

Grant(s) to the County of Riverside, a political subdivision of the state of California, an easement for public road and utility purposes, including drainage purposes, over, upon, across, and within the real property in the County of Riverside, State of California, described as follows:

SEE LEGAL DESCRIPTION AND PLAT ATTACHED HERETO AS
EXHIBITS "A" AND "B" AND MADE A PART HEREOF

**RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT,
A BODY POLITIC:**

DATED: June 21, 2016

BY: Mariano Adellee

CHAIRMAN
BOARD OF SUPERVISORS

ATTESTS:

KECIA HARPER-IHEM
Clerk of the Board of Supervisors

BY: [Signature]
DEPUTY

EXHIBIT "A"

SHEET 1 OF 1

IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA:

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6-1-2015
Gordon D. Edwards

GORDON D EDWARDS, PLS 6678
EXPIRES 6-30-2016



EXHIBIT "B"



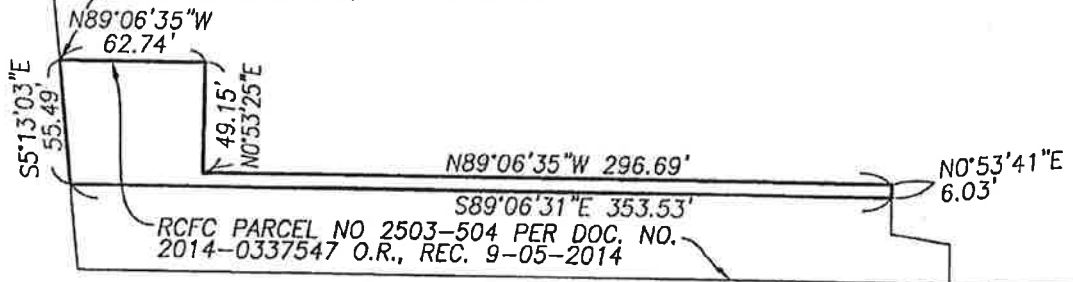
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PORTION PARCEL 1
PM NO. 34609
PMB 224 / 45-49

RS 68 / 51

POB

NW'LY CORNER RCFC PARCEL NO.
2503-504 PER DOC. NO.
2014-0337547 O.R., REC. 9-05-2014



RCFC PARCEL NO 2503-504 PER DOC. NO.
2014-0337547 O.R., REC. 9-05-2014

POR. SECTION 13
T. 5 S., R. 6 W. S.B.M.



PLAT PREPARED BY:

adkan
ENGINEERS

Civil Engineering • Surveying • Planning
6879 Airport Drive, Riverside, CA 92504
Tel:(951) 688-0241 • Fax:(951) 688-0599

JOB NO. 8613

DATE: 6-01-2015

CLIENT: FORESTAR MANAGEMENT

APPROVED BY:

GORDON D EDWARDS, PLS 6678

RIVERSIDE COUNTY FLOOD
CONTROL AND WATER
CONSERVATION DISTRICT

NOTICE OF EXEMPTION

To: County Clerk
County of Riverside
2724 Gateway Drive
Riverside, CA 92507

Original Negative Declaration/Notice of Determination was routed to County Clerks for posting on.
5/25/16 Date KB Initial

From: Riverside County Flood Control District
1995 Market Street
Riverside, CA 92501
Contact: Kris Flanigan
Phone: 951.955.1200

Project Title: Towhee Lane Channel Real Property Easement Conveyance to the County of Riverside for an existing Road

Project Location – City: Corona (sphere of influence) **Project Location – County:** Riverside

The project is located southwest of Interstate 15 and south of Santiago Canyon Road in the unincorporated area of Corona, County of Riverside. The project affects a portion of Assessor's Parcel Number (APN) 290-660-025. The project is within Township 5 South, Range 3 West, Section 13 of the Aberhill 7.5 Minute US Geological Survey (USGS) Topographic Quadrangle. The properties are located at 33° 44' 15.80" N, 117° 27' 43.28" W (Lat/Long).

Project Description: The Riverside County Flood Control and Water Conservation District (District) is the owner of certain real property interests over land identified by APN 290-660-025. The project would convey an easement interest totaling approximately 5,087 square feet from the District to the County of Riverside for existing roadway and utility purposes. Pursuant to the California Water Code Appendix Ch. 48, Section 9, the Board of Supervisors for the District has the power to grant any interest in real property it owns to other public agencies where such grant does not interfere with the use of the real property for the purposes of the District.

Public Agency Approving Project: Riverside County Flood Control and Water Conservation District

Public Agency Carrying Out Project: County of Riverside

Exempt Status: Categorical Exemption Pursuant to State CEQA Guidelines §§15301, 15304 and 15061(b)(3)

Reasons Why Project is Exempt: The project qualifies for the following CEQA exemptions:

Section 15301: Class 1 Categorical Exemption, "Existing Facilities", consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

Section 15304: Class 4 Categorical Exemption, "Minor Alterations to Land", consists of minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry or agricultural purposes.

Section 15061(b)(3): The project qualifies for the "General Rule" or "Common Sense Exemption" because it can be seen with certainty that there is no possibility that the proposed project may have a significant effect on the environment. The District is merely conveying an easement to use the excess channel right of way for street and utility purposes that would benefit the public and provide access to the District's channel via improved street right of way.

The project does not affect a change in the environment. The project will not result in any specific or general exceptions to the validity of the categorical exemptions as detailed under State CEQA Guidelines Section 15300.2. The project will not cause any impacts to scenic resources, historic resources, or unique sensitive environments. Furthermore, no unusual circumstances or potential cumulative impacts would reasonably occur that may create an environmental impact.

Based upon the exemptions identified above, the District hereby concludes that no physical environmental impacts are anticipated to occur and the project as proposed is exempt under CEQA. No further environmental analysis is warranted.

Lead Agency: Jason E. Uhley
JASON E. UHLEY
General Manager-Chief Engineer
Riverside County Flood Control
and Water Conservation District

Date: 5/25/16

JMV:rlp

JUN 21 2016 11-5

RIVERSIDE COUNTY CLERK-RECORDER

AUTHORIZATION TO BILL

TO BE FILLED OUT BY SUBMITTING AGENCY

DATE: 5/10/2016 BUSINESS UNIT/AGENCY: FLOOD CONTROL - FCARC

ACCOUNTING STRING:

ACCOUNT: 526410 FUND: 40660
DEPT ID: 947140 PROGRAM: _____

AMOUNT: \$50.00

REF: CEQA Notice of Exemption Posting for Temescal Canyon-Towhee Lane Channel 137-0-3-75157-00-00-0000-000

THIS AUTHORIZES THE COUNTY CLERK & RECORDER TO ISSUE AN INVOICE FOR PAYMENT OF ALL DOCUMENTS INCLUDED.

NUMBER OF DOCUMENTS INCLUDED:

1

AUTHORIZED BY: Michael Reyes *MR 5/10/16*

PRESENTED BY: Kris Flanigan EXT 58581

CONTACT: Michael Reyes

TO BE FILLED OUT BY COUNTY CLERK

ACCEPTED BY: _____

DATE: _____

DOCUMENT NO(S)/INVOICE NO(S): _____