

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



ITEM
11.2
(ID # 5454)

MEETING DATE:

Tuesday, October 17, 2017

FROM : FLOOD CONTROL DISTRICT:

SUBJECT: FLOOD CONTROL DISTRICT: Adopt Resolution No. F2017-17 Authorization to Convey Easement Interest in Real Property Within and Over Murrieta Creek (APNs 909-120-016 and 921-740-004) to Southern California Edison (SCE) by Grant of Easement Deed; CEQA Findings of Exemption; Project No. 7-0-00020, [District 3]; [\$0] (4/5 VOTE REQUIRED)

RECOMMENDED MOTION: That the Board of Supervisors:

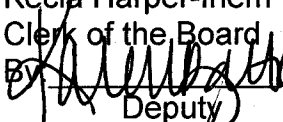
1. Find that the Project is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Sections 15301(b) and 15303(d); and
2. Adopt Resolution No. F2017-17 Authorization to Convey Easement Interest in Real Property within and over a portion of property with Assessor's Parcel Numbers 909-120-016 and 921-740-004 (RCFC Parcel 7020-101A and 7020-509A, located in the city of Temecula, County of Riverside, State of California, to SCE by Grant of Easement Deed.
3. Authorize the Chairman of the Board of Supervisors for the District to execute the Grant of Easement Deed in favor of SCE; 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 the conveyance of easement interest in real property.

ACTION: 4/5 Vote Required, Policy

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Jeffries, Tavaglione, Washington, Perez and Ashley
Nays: None
Absent: None
Date: October 17, 2017
xc: Flood, Recorder

Kecia Harper-Ihem
Clerk of the Board
By 
Deputy

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

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 0	\$ 0	\$ 0	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS: N/A			Budget Adjustment:	No
			For Fiscal Year:	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

Eastern Municipal Water District (EMWD) is currently in the process of expanding the Temecula Valley Regional Water Reclamation Facility. As part of this project, SCE has designed an upgraded power distribution system to facilitate the needs of the project. The upgraded transmission lines will be within an existing SCE easement that crosses Murrieta Creek in addition to the installation of aerial power lines and guide wires along Diaz Road within District right of way.

EMWD has requested an easement be granted to SCE within the District's Murrieta Creek right of way to facilitate the upgrade. The easement location is just northeast of Diaz Road between Avenida Alvarado and Black Deer Loop within portions of APNs 909-120-016 and 921-740-004 (Parcels 7020-101A and 7020-509A) in the city of Temecula. The necessary rights to be granted within Murrieta Creek include the installation of aerial power lines and guide wires with the right to access and maintain these improvements. The proposed easement is approximately 578 square feet. The value of the easement is nominal.

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 SCE will not interfere with the use of the property for the intended purposes of the District.

Pursuant to CEQA, the project was reviewed and determined to be categorically exempt from CEQA. The project is the conveyance of easement interest to SCE to install aerial power lines and appurtenant guide wires within existing District facilities. The project is consistent with a "Class 1 Categorical Exemption" pursuant to CEQA Guidelines § 15301(b), which includes "Existing facilities of both investor and publicly owned utilities used to provide electric power, natural gas, sewerage, or other public utility services." The project is also consistent with a "Class 3 Categorical Exemption" pursuant to CEQA Guidelines § 15303(d) for "New Construction or Conversion of Small Structures." Therefore, the project as proposed is exempt under CEQA and no further environmental analysis is warranted.

Resolution No. F2017-17 has been approved as to form by County Counsel.

**SUBMITTAL TO THE FLOOD CONTROL AND WATER CONSERVATION DISTRICT BOARD
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Additional Fiscal Information

All costs shall be borne by Eastern Municipal Water District.

Impact on Residents and Businesses

This project is a conveyance to a public utility and there is no impact to the residents or business.

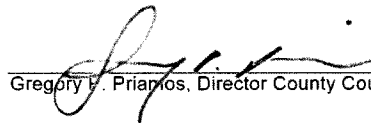
ATTACHMENTS:

1. Resolution No. F2017-17
2. Regional Map of the subject area
3. Grant of Easement Deed to SCE within Parcel Nos. 7020-101A and 7020-509A for aerial power lines, guide wires, and access for maintenance
4. Notice of Exemption (NOE) and Authorization to Bill to pay NOE filing fee.



Tina Grande, Principal Management Analyst

10/10/2017



Gregory E. Priamos, Director County Counsel

10/4/2017

BOARD OF SUPERVISORS**RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT****RESOLUTION NO. F2017-17**

AUTHORIZATION TO CONVEY EASEMENT INTEREST IN REAL PROPERTY
WITHIN AND OVER MURRIETA CREEK (APNs 909-120-016 and 921-740-004)
TO SOUTHERN CALIFORNIA EDISON BY GRANT OF EASEMENT DEED,
PROJECT NO. 7-0-00020

WHEREAS, the Riverside County Flood Control and Water Conservation District ("District") owns certain real property in fee title within the city of Temecula associated with Assessor's Parcel Numbers 909-120-016 and 921-740-004, referenced as Parcels 7020-101A and 7020-509A, within the District's Murrieta Creek; and

WHEREAS, the Eastern Municipal Water District ("EMWD") has requested an easement be granted to Southern California Edison for the installation and maintenance of aerial power lines, guidewires and site access associated with the upgraded power distribution line necessary for the expansion of EMWD's Temecula Valley Regional Water Reclamation Facility ("Project"); and

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.

WHEREAS, staff has evaluated and determined that the conveyance of the easement interest to Southern California Edison will not interfere with the use of the property for the intended purposes of the District.

WHEREAS, the District has reviewed the Project and determined that the conveyance of easement interests to Southern California Edison to install and maintain aerial power lines and appurtenant guide wires within existing District facilities is consistent with a "Class 1 Categorically Exempt" pursuant to CEQA Guidelines Sections § 15301(b), which includes "Existing facilities of both investor and publicly owned utilities used to provide electric power, natural gas, sewerage, or other public utility services," and the Project is also consistent with a

FORM APPROVED BY RIVERSIDE COUNTY COUNSEL
BY: *Elena* 10-2-17
DATE

1 "Class 3 Categorical Exemption" pursuant to CEQA Guidelines § 15303(d) for "New Construction
2 or Conversion of Small Structures."

3 NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by the
4 Board of Supervisors ("Board") of the Riverside County Flood Control and Water Conservation
5 District, in regular session assembled on or after October 17, 2017 at or after 9:00 a.m., in its
6 meeting room located on the 1st floor of the County Administrative Center, 4080 Lemon Street,
7 Riverside, California, finds that the environmental impacts of the Project have been sufficiently
8 assessed and have been determined that the activity in question will not have a significant effect
9 on the environment, and the proposed action qualifies for a "Class 1 Categorical Exemption" and
10 a "Class 3 Categorical Exemption" pursuant to Article 19 of the CEQA, State CEQA Guidelines
11 Sections 15301(b) and 15303(d), respectively.

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

15 BE IT FURTHER RESOLVED, DETERMINED AND ORDERED that the Board
16 authorizes the conveyance of easement rights for aerial power lines, guide wires and access
17 purposes to Southern California Edison within District real property described as Assessor's Parcel
18 Numbers 909-120-016 and 921-740-004, also referenced as Parcel Nos. 7020-101A and 7020-
19 509A, more particularly described as Exhibit "A" and shown in Exhibit "B".

20 BE IT FURTHER RESOLVED, DETERMINED AND ORDERED that the Chairman of
21 the Board of Supervisors of the District is authorized to execute the Grant of Easement Deed on
22 behalf of the District.

23 BE IT FURTHER RESOLVED, DETERMINED AND ORDERED that the General
24 Manager-Chief Engineer or his designee is authorized to execute any other documents and
25 administer all actions necessary to convey the easement interest in the real property and this
26 transaction.
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1 BE IT FURTHER RESOLVED, DETERMINED AND ORDERED that the Clerk of the
2 Board is directed to file the Notice of Exemption with the County Clerk within five (5) working
3 days of approval by the Board.
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7 ROLL CALL:

8 Ayes: Jeffries, Tavaglione, Washington, Perez and Ashley
9 Nays: None
Absent: None

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11 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.

12 KECIA HARPER-IHEM, Clerk of said Board

13 By

14 Deputy
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RECORDING REQUESTED BY



SOUTHERN CALIFORNIA
EDISON

An EDISON INTERNATIONAL Company

WHEN RECORDED MAIL TO
SOUTHERN CALIFORNIA EDISON COMPANY

2 Innovation Way, 2ND Floor
Pomona, CA 91768

Attn: Title and Valuation

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**GRANT OF
EASEMENT**

DOCUMENTARY TRANSFER TAX \$ NONE (VALUE AND CONSIDERATION LESS THAN \$100.00)	DISTRICT Wildomar	WORK ORDER TD820138	IDENTITY	MAP SIZE
SCE Company	FIM: 490-1719-1	APPROVED: Real Properties	BY	DATE
SIG. OF DECLARANT OR AGENT DETERMINING TAX FIRM NAME	APN: 909-120-016 & 921-740-004		SLS/BT	10/02/2017

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT (hereinafter referred to as "Grantor"), hereby grants to SOUTHERN CALIFORNIA EDISON COMPANY, a corporation, its successors and assigns (hereinafter referred to as "Grantee"), an easement and right of way to construct, use, maintain, operate, alter, add to, repair, replace, reconstruct, inspect and remove at any time and from time to time overhead electrical supply systems and communication systems (hereinafter referred to as "systems"), consisting of poles, guy wires and anchors, crossarms, wires, and other appurtenant fixtures and/or equipment necessary or useful for distributing electrical energy and for transmitting intelligence by electrical means for Southern California Edison Company's operational use only, in, on, over, across and along that certain real property in the County of Riverside, State of California, described as follows:

FOR LEGAL DESCRIPTION, SEE EXHIBITS "A" AND "B", BOTH ATTACHED HERETO AND MADE A PART HEREOF.

Grantor hereby also grants to Grantee, its successors and assigns, and its and their contractors, agents and employees, the right of free access to said systems and facilities and every part thereof, at all times, for the purpose of exercising the rights herein granted, and the right to clear and to keep clear the above described real property, free from explosives, buildings, equipment, brush, combustible material and any and all other obstructions of any kind, and the right to trim or remove any tree or shrub which, in the opinion of Grantee, may endanger said systems and facilities, or any part thereof, or interfere with the exercise of the rights herein granted.

10.17.17 11.2

APPROVED COUNTY CLERK
Heather 10/25/17
CLERK BOEVA

EXECUTED this 17th day of October, 2017

GRANTOR

RIVERSIDE COUNTY FLOOD CONTROL AND
WATER CONSERVATION DISTRICT

Marion Ashley
Signature

MARION ASHLEY

Print Name

Chairman

Title

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)

County of Riverside)

On 10/17/17 before me, Karen Barton
(here insert name)

Board Assistant
notary public;

personally appeared Marion Ashley

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that ~~he/she~~ they executed the same in ~~his/her~~ their authorized capacity(ies), and that by ~~his/her~~ their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct

WITNESS my hand and official seal.

KECIA HARPER-IHEM
Clerk of the Board of Supervisors

(This area for notary stamp)

By:

Karen Barton
Deputy

EXECUTED this _____ day of _____, 20__.

GRANTEE

SOUTHERN CALIFORNIA EDISON COMPANY,
a corporation

Signature

Print Name

Title

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)

County of _____)

On _____ before me, _____, notary public,
(here insert name)

personally appeared _____
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct

WITNESS my hand and official seal.

Signature _____

(This area for notary stamp)

EXHIBIT "A"

AN 8.00 FOOT WIDE STRIP OF LAND LYING WITHIN BLOCK 2, AS SHOWN ON MAP OF SUBDIVISIONS OF LAND OF THE PAUBA LAND & WATER CO., AS PER MAP FILED IN BOOK 11, PAGE 507 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, AND WITHIN LOT "D" OF PARCEL MAP 13542, AS PER MAP FILED IN BOOK 73, PAGES 6 THROUGH 9 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, THE SOUTHWESTERLY LINE OF SAID STRIP IS DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT IN THE NORTHEASTERLY LINE OF DIAZ ROAD, 100.00 FEET WIDE, AS SHOWN ON SAID PARCEL MAP 13542, SAID POINT ALSO BEING THE MOST SOUTHERLY CORNER OF SAID LOT "D"; THENCE ALONG THE NORTHEASTERLY LINE OF SAID DIAZ ROAD, NORTH 34°22'31" WEST 15.27 FEET TO THE TRUE POINT OF BEGINNING; THENCE ALONG THE NORTHEASTERLY LINE OF SAID DIAZ ROAD, SOUTH 34°22'31" EAST 57.00 FEET TO A POINT OF ENDING.

FOR SKETCH TO ACCOMPANY LEGAL DESCRIPTION, SEE EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF.

Prepared by me or under my supervision:

Dated: Jan 5, 2017

Glenn M. Bakke
Glenn M. Bakke R.C.E. #18619 Exp. 06-30-2017



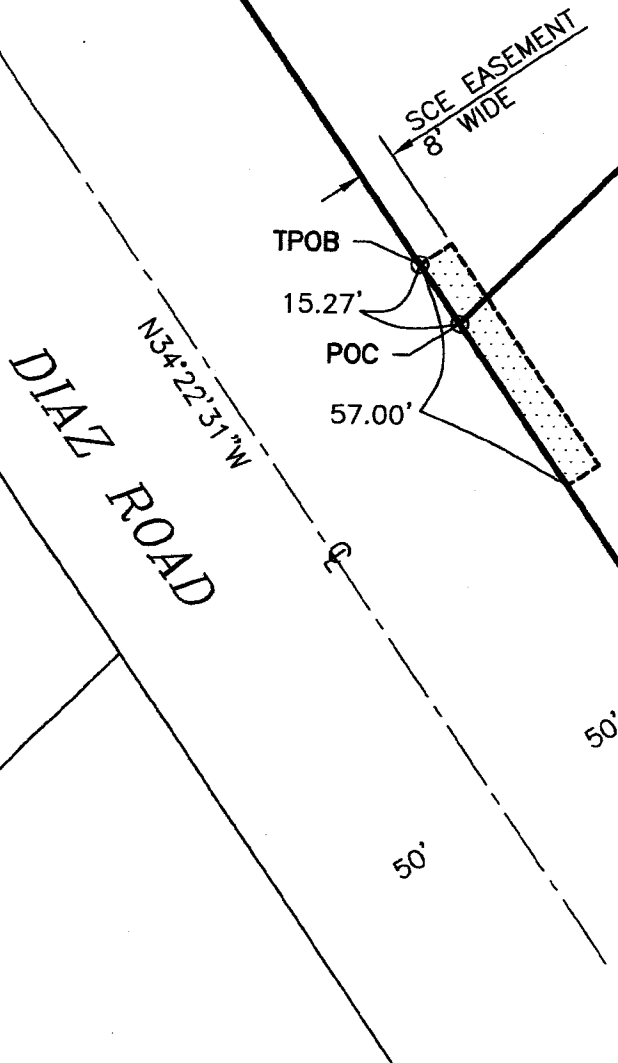
EXHIBIT "B"

LOT "D"
PARCEL MAP 13542
P.M.B. 73/6-9
RIVERSIDE COUNTY



SCALE: 1"=120'


POR. BLOCK 2
SUBDIVISIONS OF LAND OF
THE PAUBA LAND & WATER CO.
M.B. 11/507
SAN DIEGO COUNTY

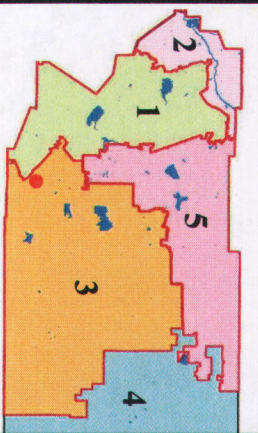


Dated Jan 5, 2017

Glenn M. Bakke
Glenn M. Bakke R.C.E.# 18619 Exp. 6-30-17

LEGEND

 DENOTES
SCE EASEMENT AREA
POC = POINT OF COMMENCEMENT
TPOB = TRUE POINT OF BEGINNING



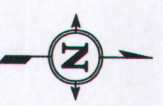
Supervisor Districts

LEGEND:

- Project Vicinity
- Supervisorial District

DESCRIPTION:

APN'S 909-120-016 AND
921-740-004
ZONE 7



AUTHORIZATION TO CONVEY EASEMENT INTEREST IN REAL PROPERTY WITHIN
AND OVER MURRIETA CREEK TO SOUTHERN CALIFORNIA EDISON
PROJECT NO. 7-0-00020 RESOLUTION NO. F2017-17



REGIONAL MAP

Notice of Exemption

To: **Office of Planning and Research**
P.O. Box 3044, 1400 Tenth Street, Room 222
Sacramento, CA 95812-3044

From: **Riverside County Flood Control
and Water Conservation District**
1995 Market Street
Riverside, CA 92501
Attn: Joan Valle
951.955.8856

X **County Clerk**
County of Riverside
2724 Gateway Drive
Riverside, CA 92507

Original Negative Declaration/Notice of Exemption
Determination was routed to County Clerk for posting on.

10/19/17
Date

VB
Initial

Lead Agency: Riverside County Flood Control and Water Conservation District

Project Title: Murrieta Creek Real Property Easement Conveyance to Southern California Edison

Project Location: City of Temecula; County of Riverside

The proposed easement totals approximately 578 square feet within the District's right of way for Murrieta Creek and is located just northeast of Diaz Road between Avenida Alvarado and Black Deer Loop in the city of Temecula and includes portions of Assessor's Parcel Numbers (APNs) 909-120-016 and 921-740-004. The proposed easement area is located within Township 8 South, Range 3 West, Section 2 of the Temecula 7.5 Series USGS Topographic Quadrangle map. The proposed easement is located at 33° 30'17.5831" N, 117° 9'30.1168" W (latitude, longitude).

Project Description: The project is the approval and execution of an agreement to convey easement interest to Southern California Edison (SCE) to upgrade and maintain aerial power lines and appurtenant guide wires within existing District right of way. The upgraded transmission lines will be within an existing easement that crosses Murrieta Creek, and the proposed easement is approximately 578 square feet within portions of APNs 909-120-016 and 921-740-004. No new power poles are required.

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

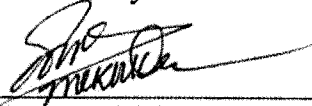
Public Agency Carrying Out Project: Riverside County Flood Control and Water Conservation District

Exempt Status: Categorical Exemption pursuant to CEQA Guidelines § 15301(b) and 15303(d)

Reasons Why Project is Exempt: Pursuant to the California Environmental Quality Act (CEQA), the project was reviewed and determined to be categorically exempt from CEQA. The project qualifies for a "Class 1 Categorical Exemption" pursuant to Article 19 of the CEQA Guidelines: Section 15301(b), which includes "Existing facilities of both investor and publicly owned utilities used to provide electric power, natural gas, sewerage, or other public utility services." The project is also consistent with a "Class 3 Categorical Exemption" pursuant to CEQA Guidelines Section 15303(d) for "New Construction or Conversion of Small Structures."

Determination: Based upon the exemptions identified above, the project as proposed is exempt under CEQA. No further environmental analysis is warranted.

Lead Agency:


MEKBIB DEGAGA
Chief of Regulatory Division
Riverside County Flood Control
and Water Conservation District

Date:

9/25/2017

OCT 17 2017 11.2

RIVERSIDE COUNTY CLERK-RECORDER

AUTHORIZATION TO BILL

TO BE FILLED OUT BY SUBMITTING AGENCY

DATE: 9/20/2017 BUSINESS UNIT/AGENCY: FLOOD CONTROL - FCARC

ACCOUNTING STRING:

ACCOUNT: 526410 FUND: 25170

DEPT ID: 947520 PROGRAM: _____

AMOUNT: \$50.00

REF: CEQA Notice of Exemption Murrieta Creek - Easement to SCE Project 227-7-8-00021-00-15-8000-836

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

NUMBER OF DOCUMENTS INCLUDED:

1

AUTHORIZED BY: Lorena Alandy Ext 51261 

PRESENTED BY: Joan Valle Ext 58856

CONTACT: Lorena Alandy

TO BE FILLED OUT BY COUNTY CLERK

ACCEPTED BY: _____

DATE: _____

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