

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



ITEM  
11.2  
(ID # 9209)

**MEETING DATE:**  
Tuesday, July 2, 2019

**FROM :** FLOOD CONTROL DISTRICT:

**SUBJECT:** FLOOD CONTROL DISTRICT: Adopt Resolution No. F2019-02, Notice of Intent to Adopt a Resolution of Necessity for the Norco-Crestview Drive Debris Basin Project, in the city of Norco, Riverside County, State of California, Project No. 2-0-00085, CEQA Exempt, District 2. [\$90,200 – District Funds 100%] (Clerk to send notice to property owners) (Set a public hearing on August 6, 2019) (4/5 vote required)

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Find that nothing further is required for the purchase of permanent easement and non-exclusive temporary construction easement by the Riverside County Flood Control and Water Conservation District (District) as the CEQA process for the debris basin has been completed and approved by this Board on February 27, 2018 (Item 11.1, MT#6216);
2. Adopt Resolution No. F2019-02, Notice of Intent to Adopt a Resolution of Necessity Regarding Norco-Crestview Drive Debris Basin Project, and set a public hearing for Resolution No. F2019-03 on August 6, 2019;
3. Approve and authorize the District to proceed with the project; and
4. Direct the Clerk of the Board to file the Notice of Exemption with the County Clerk within five (5) working days of approval by the Board.

**ACTION:** 4/5 Vote Required, Policy, Set for Hearing

Handwritten signature of Jason Uhley in black ink.

Jason Uhley, GENERAL MGR-CHF FLD CNTRL ENG

6/24/2019

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**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Perez, seconded by Supervisor Hewitt and duly carried, IT WAS ORDERED that the above matter is approved as recommended and is set for public hearing on Tuesday, August 6, 2019 at 9:30 a.m. or as soon as possible thereafter.

Ayes: Jeffries, Spiegel, Perez and Hewitt  
Nays: None  
Absent: Washington  
Date: July 2, 2019  
xc: Flood, COB, Recorder

Kecia Harper  
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**

<b>FINANCIAL DATA</b>	<b>Current Fiscal Year:</b>	<b>Next Fiscal Year:</b>	<b>Total Cost:</b>	<b>Ongoing Cost</b>
<b>COST</b>	\$90,200	\$0	\$90,200	\$0
<b>NET COUNTY COST</b>	\$0	\$0	\$0	\$0
<b>SOURCE OF FUNDS: Norco-Crestview Project Zone 2 Land 25120 947420 540040</b>			<b>Budget Adjustment</b>	<b>No</b>
			<b>For Fiscal Year:</b>	<b>19/20</b>

**C.E.O. RECOMMENDATION:** Approve

**BACKGROUND:**

**Summary**

The Norco-Crestview Drive Debris Basin Project (Project) is located in the city of Norco, Riverside County. The project will help reduce flooding and mud/debris issues in the neighborhood surrounding Crestview Drive and Mt. Rushmore Drive. The debris basin will be constructed on a portion of an undeveloped parcel and has been designed to collect debris from the adjacent hillside. The CEQA process for the debris basin has already been completed, and the project was approved by this Board on February 27, 2018 (MT # 6216, Item 11.1). Nothing further is required under CEQA for the debris basin.

The public interest and necessity for this Project is demonstrated by the flooding that occurs in the area and the erosion of both public and private property. The proposed project is planned in a manner that is most compatible with the greatest public good and least private injury. The affected area is predominately rural residential and vacant. Though there are some housing tracts in the area, most residential properties are approximately one acre in size. There are no existing structural improvements for the debris basin or the temporary construction easement (TCE) interest to affect the subject property.

The proposed fee acquisition area is 259.99 feet wide and 312.99 feet long, in an area rectangular in shape, and located in the southwest corner of the subject larger parcel known as RCFC Parcel No. 2085-01. The debris basin has been designed to collect debris and mud flows from the nearby hillsides. The TCE area is also located in the southwestern portion of the subject larger parcel and is known as RCFC Parcel No. 2085-01T, wrapping around RCFC Parcel No. 2085-01. The TCE is L-shaped. The entire TCE has a width of 80 feet and is needed for the construction of the facility. Offers to purchase, as required by Section 4267.2, have been made to property owners.

The District made a written offer of just compensation to the current property owner of Assessor's Parcel Number 168-060-003, Arlington Cemetery Association, Inc., for a permanent easement, referenced as RCFC Parcel 2085-01, and temporary construction easement, referenced as RCFC Parcel 2085-01T, as required by Water Code/Govt. Code

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7267.2. The amount of the offer is consistent with current property values and is based upon a fair market value appraisal report. Negotiations have been conducted with the affected property owners pursuant to the Uniform Relocation and Property Acquisition Act of 1970, as amended. Staff will continue to negotiate with the property owners, however, in order to facilitate the timely construction of the flood facility for the Norco-Crestview Drive Debris Basin project, staff is recommending the approval of Resolution No. F2019-02.

The real property acquisition, which is the subject of this action, is exempt from CEQA pursuant to Section 15061(b)(3) of the CEQA Guidelines which exempts projects that will not have a significant effect on the environment because it can be seen with certainty that the property acquisition will not have a significant effect on the environment. As such, a Notice of Exemption has been prepared by the District and should be filed with the County Clerk within 5 days of the board approving the property acquisition project.

The subject Notice of Intention would set a public hearing on August 6, 2019 for the proposed adoption of Resolution No. F2019-03 for the Norco Crestview Drive Basin Project. The scheduling of a Resolution of Necessity hearing on August 6, 2019 is needed in order to permit the Norco-Crestview Drive Debris Basin Project to move forward.

The District is authorized to acquire property by eminent domain pursuant to various statutes including Government Code Section 7267.2.

**Prev Agn. Ref.:** MT#6216 11.1 of 02/27/18

**Impact on Residents and Businesses**

The proposed project will protect people, property and the watershed from damage or destruction from flood and stormwater impact. The health and safety concerns prompt the District to construct the proposed project.

**SUPPLEMENTAL:**

**Additional Fiscal Information**

Permanent Easement and Temporary Construction Easement (Deposit)	\$19,200
Litigation Guarantees	\$1,000
Staff Time (Condemnation process)	\$70,000
<b>Total Estimated Costs</b>	<b>\$90,200</b>

**ATTACHMENTS:**

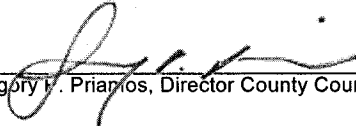
- Resolution No. F2019-02
- Regional Map (Exhibit "A")
- Legal Description and Plat Map (Exhibit "B")

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



Jason Farin, Senior Management Analyst

6/25/2019



Gregory F. Priamos, Director County Counsel

6/24/2019

**BOARD OF SUPERVISORS**

**RIVERSIDE COUNTY FLOOD CONTROL  
AND WATER CONSERVATION DISTRICT**

RESOLUTION NO. F2019-02

NOTICE OF INTENT TO ADOPT A RESOLUTION OF NECESSITY  
REGARDING NORCO-CRESTVIEW DRIVE DEBRIS BASIN PROJECT

**WHEREAS**, the portion of real property that is the subject of this Notice ("Subject Property") is located in the city of Norco, County of Riverside, State of California, legally described and pictorially depicted on the documents attached hereto as Exhibits "A" and "B" (and incorporated herein by this reference), is referenced as Parcel Nos. 2155-01 and 2155-01T (which are portions of Riverside County Assessor's Parcel No. 168-060-003);

**WHEREAS**, the proposed project that is the subject of this Notice is the acquisition of right of way in order to construct the Norco-Crestview Drive Debris Basin project ("Project"). The debris basin will reduce flooding, mud and debris issues in the neighborhood surrounding Crestview Drive and Mt. Rushmore Drive. It will also be constructed to collect runoff from the La Sierra Hills in an underground pipe and will collect debris from a portion of the hillside.

**WHEREAS**, the Subject Property is needed to construct the debris basin;

**WHEREAS**, Parcel No. 2155-01 is a permanent easement needed for the Project;

**WHEREAS**, Parcel No. 2155-01T is a non-exclusive temporary construction easement for a twelve (12) month period from the 30-day written notice to access the portion of the Subject Property necessary to construct the Project;

**WHEREAS**, on February 27, 2018, the Riverside County Flood Control and Water Conservation District ("District") reviewed the Project and determined that it is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15061(b)(3) based on the information set forth in the Notice of Exemption that was prepared for the Project and is incorporated herein by this reference and, therefore, nothing further under CEQA is required;

**WHEREAS**, the authorities that authorize the District to acquire the Subject Property interest by eminent domain include Article 1, Section 19 of the California Constitution; Section 07.02.19 11.2

FORM APPROVED COUNTY COUNSEL  
BY B. Z. FORDON 6-27-19  
DATE

1 25350.5 of the Government Code; Section 48-9 of the Water Code-Appendix; and Sections  
2 1240.010, 1240.020, 1240.030, 1240.040, 1240.110, 1240.410, 1240.510 and 1240.610 of the  
3 Code of Civil Procedure; and

4 **WHEREAS**, all provisions of CEQA and the District's rules to implement CEQA have  
5 been satisfied.

6 **NOW, THEREFORE, BE IT RESOLVED AND ORDERED** by the Board of  
7 Supervisors of the District in regular session assembled on July 2, 2019:

- 8
- 9 1. You are hereby notified that this Board at its public meeting on August 6, 2019 at  
10 a.m. in the meeting room of the Board of Supervisors, located on the 1<sup>st</sup> Floor of the  
11 County Administrative Center, 4080 Lemon Street, Riverside, California may decide  
12 to adopt a Resolution of Necessity that would authorize the District to acquire the  
13 Subject Property interest by eminent domain (and that would find and determine each  
14 of the following matters):
- 15 (a) The public interest and necessity require the Project;
- 16 (b) The Project is planned or located in the manner that will be most compatible with  
17 the greatest public good and the least private injury;
- 18 (c) The Subject Property interest is necessary for the Project;
- 19 (d) The offer required by Section 7267.2 of the Government Code has been made to  
20 the owner or owners of record of the Subject Property;
- 21 (e) This notice was duly given as required by Section 1245.235 of the California  
22 Code of Civil Procedure.
- 23
- 24 2. If within fifteen (15) days from the mailing of this Notice you file a written request to  
25 appear at the public meeting and be heard on the matters described in 1(a), 1(b), 1(c),  
26 1(d) and 1(e) (or any one or more of them), you will have a right to appear at that  
27 meeting and be heard on those matters.  
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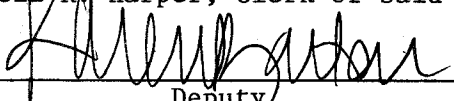
- 3. All such written requests to appear and be heard must be filed with the Clerk of the Board of Supervisors of the District.
- 4. Your written request to appear and be heard must be filed within the 15-day time period. Failure to file such a timely written request will result in a waiver of your right to appear and be heard.
- 5. Questions regarding the amount of compensation to be paid will not be a part of the public meeting, and the Board will not consider such questions in determining whether a Resolution of Necessity should be adopted.
- 6. The Clerk of the Board of Supervisors of the District shall cause a copy of this Notice to be sent by first class mail to the persons whose property may be acquired by eminent domain and whose name and address appears on the last equalized County Assessment Roll (including the roll of State-assessed property).

P8\223752

ROLL CALL:

Ayes: Jeffries, Spiegel, Perez and Hewitt  
 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 R. Harper, Clerk of said Board  
 By  Deputy

**RIVERSIDE COUNTY FLOOD CONTROL AND WATER  
CONSERVATION DISTRICT**

**EXHIBIT "A"**

**LEGAL DESCRIPTION**

**NORCO - CRESTVIEW DRIVE - DEBRIS BASIN**

**Parcel No. 2085-01**

**APN 168-060-003**

**In the City of Norco, County of Riverside, State of California, being the southerly 312.99 feet of the westerly 259.99 feet of Parcel 2, Parcel Map No. 13319, filed in book 77, pages 12 and 13 of Parcel Maps, records of said county.**

**Containing 81,375 square feet/1.868 acres.**

**The distances shown herein are in grid. Ground distances may be obtained by dividing grid distance by the combination factor of 0.99997023.**

**See Exhibit "B" attached hereto and made a part hereof.**



  
**JAMES R. McNEILL**

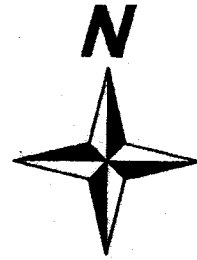
**Land Surveyor No. 7752**

**Date: 7-11-18**

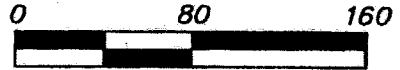


EXHIBIT "B"

PARCEL MAP  
NO. 13319  
PM 77/12-13

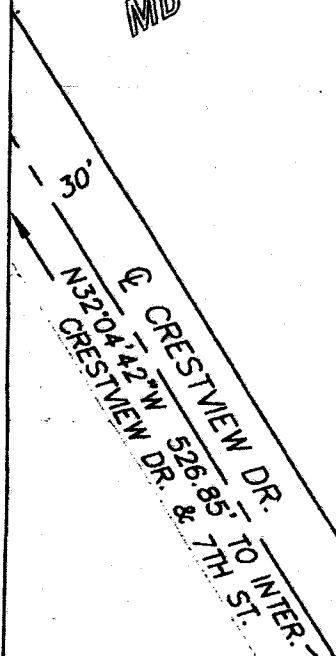


GRAPHIC SCALE

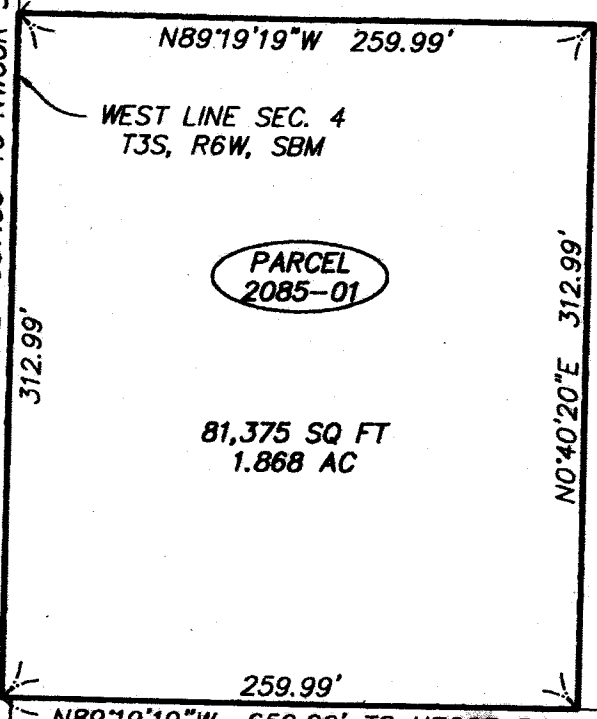
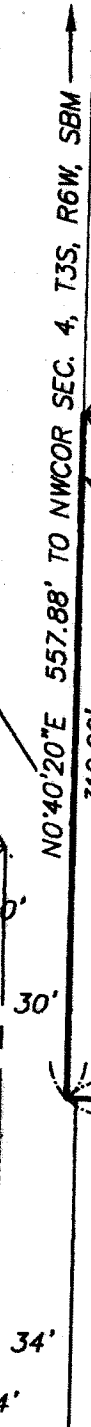
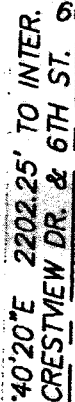


1 INCH = 80 FT.

MB 12/33



PM 15/15



PARCEL  
2085-01

81,375 SQ FT  
1.868 AC

PARCEL 2



PM 151/59-60  
PARCEL 1

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT  
1995 MARKET STREET, RIVERSIDE, CA. 92501

PROJECT NAME:	NORCO - CRESTVIEW DRIVE - DEBRIS BASIN	SCALE 1"=80'	DRAWN BY SB
RCFC-WCD PARCEL NUMBER(S):	2085-01	DATE 5/22/18	CHECK BY SL
RCFC-WCD PROJECT NUMBER:	2-0-00085	SHEET NO.	1 OF 1

**RIVERSIDE COUNTY FLOOD CONTROL AND WATER  
CONSERVATION DISTRICT**

**EXHIBIT "A"**

**LEGAL DESCRIPTION**

**NORCO - CRESTVIEW DRIVE - DEBRIS BASIN**

**Parcel No. 2085-01T**

**APN 168-060-003**

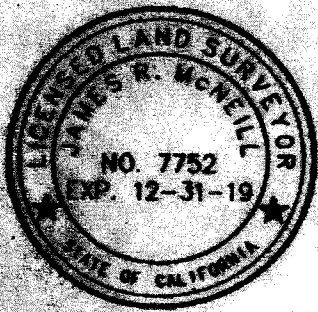
**In the City of Norco, County of Riverside, State of California, being the southerly 392.99 feet of the westerly 339.99 feet of Parcel 2, Parcel Map No. 13319, filed in book 77, pages 12 and 13 of Parcel Maps, records of said county.**

**Except the southerly 312.99 feet of the westerly 259.99 feet of said Parcel 2.**

**Containing 52,237 square feet/1.199 acres.**

**The distances shown herein are in grid. Ground distances may be obtained by dividing grid distance by the combination factor of 0.99997023.**

**See Exhibit "B" attached hereto and made a part hereof.**



  
\_\_\_\_\_  
**JAMES R. McNEILL**

**Land Surveyor No. 7752**

**Date:** 7-11-18

EXHIBIT "B"

PARCEL MAP  
NO. 13319  
PM 77/12-13

MB 12/33

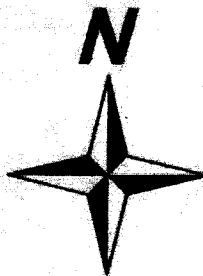
52,237 SQ FT  
1.199 AC

PARCEL  
2085-01T

N89°19'19"W 339.99'

N89°19'19"W 259.99'

WEST LINE SEC. 4  
T3S, R6W, SBM



GRAPHIC SCALE



1 INCH = 80 FT.

N0°40'20"E 557.88' TO NWCOR SEC. 4, T3S, R6W, SBM

312.99'

N0°40'20"E 312.99'

N0°40'20"E 392.99'

PARCEL 2

N89°19'19"W 659.96' TO NECOR PAR. 1 PM 151/59-60

PM 151/59-60  
PARCEL 1

E CRESTVIEW DR.  
N32°04'42"W 526.85' TO INTER.  
CRESTVIEW DR. & 7TH ST.

PM 15/15

N0°40'20"E 2202.25' TO INTER.  
CRESTVIEW DR. & 6TH ST.

60'

30'

34'

64'

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT  
1995 MARKET STREET, RIVERSIDE, CA. 92501

PROJECT NAME:	NORCO - CRESTVIEW DRIVE - DEBRIS BASIN	SCALE 1"=80'	DRAWN BY SB
RCFC-WCD PARCEL NUMBER(S):	2085-01T	DATE 5/22/18	CHECK BY SL
RCFC-WCD PROJECT NUMBER:	2-0-00085	SHEET NO.	1 OF 1

**DECLARATION OF MAILING OF**

**RESOLUTION NO. F2019-02, NOTICE OF INTENT TO ADOPT A RESOLUTION OF NECESSITY FOR THE NORCO-CRESTVIEW DRIVE DEBRIS BASIN PROJECT IN THE CITY OF NORCO**

I, KAREN BARTON, Board Assistant, hereby declares as follows:

That on July 12, 2019, I served by mail a copy of Resolution No. F2019-02, Notice of Intent to Adopt a Resolution of Necessity for the Norco-Crestview Drive Debris Basin Project in the City of Norco, by depositing said copies enclosed in a sealed envelope, in the United States Postal Service mailbox at the City of Riverside, California.

Arlington Cemetery Association, Inc.  
10621 Victory Boulevard  
North Hollywood, CA 91606  
**Article#:** 7013 0600 0001 1305 5376

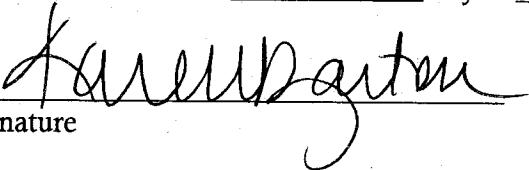
Arlington Cemetery Association, Inc.  
P.O. Box 130548  
Houston, TX 77219  
**Article#:** 7013 0600 0001 1305 5383

Arlington Cemetery Association, Inc.  
P.O. Box 42165  
Houston, TX 77242  
**Article#:** 7013 0600 0001 1305 5390

SCI Shared Resources, LLC  
Dann C. Narveson, Director, Real Estate  
1929 Allen Parkway, 7<sup>th</sup> Floor  
Houston, TX 77019  
**Article#:** 7013 0600 0001 1305 5406

I declared under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed this 11<sup>th</sup> day of July, 2019 at Riverside County, California.

  
Signature