

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



ITEM: 11.7  
(ID # 12005)

**MEETING DATE:**

Tuesday, March 10, 2020

**FROM:** FLOOD CONTROL DISTRICT:

**SUBJECT:** FLOOD CONTROL DISTRICT: Adopt Resolution No. F2020-05, Notice of Intention 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. [\$152,500 - District Zone 2 Funds 100%] (Clerk to Send Notice to Property Owners) (Set a Public Hearing on April 7, 2020)

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

1. Find that the property acquisition associated with the Norco-Crestview Drive Debris Basin (Project) is exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 15061(b)(3) of the State CEQA Guidelines;
2. Adopt Resolution No. F2020-05, Notice of Intention to Adopt a Resolution of Necessity and set a public hearing for Resolution No. F2020-06 on April 7, 2020;
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 5 working days of approval by the Board.

**ACTION:** Policy, Set for Hearing

Jason Uhley, GENERAL MGR-CHF FLD CNTRL ENG

2/26/2020

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**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Perez, seconded by Supervisor Hewitt and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended and is set for hearing on Tuesday, April 7, 2020 at 9:30 a.m. or as soon as possible thereafter.

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt  
Nays: None  
Absent: None  
Date: March 10, 2020  
xc: Flood

Kecia R. Harper  
Clerk of the Board

By:   
Deputy

**SUBMITTAL TO THE FLOOD CONTROL AND WATER CONSERVATION DISTRICT BOARD  
OF SUPERVISORS  
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>	\$ 152,500	\$ 0	\$ 152,500	\$ 0
<b>NET COUNTY COST</b>	\$ 0	\$ 0	\$ 0	\$ 0
<b>SOURCE OF FUNDS:</b> Norco-Crestview Project Zone 2 Land 25120 947420 540040			<b>Budget Adjustment:</b>	No
			<b>For Fiscal Year:</b>	20/21

**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). No further CEQA is required for the debris basin.

The public interest and necessity for this Project is demonstrated by the flooding, which 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 fee debris basin or the temporary construction easement (TCE) to effect within 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 R/W 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 R/W Parcel No. 2085-01T, wrapping around R/W 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 7267.2 have been made to owners.

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

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Relocation and Property Acquisition Act of 1970, as amended. Staff will continue to negotiate with the 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 F2020-05

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 April 7, 2020, for the proposed adoption of Resolution No. F2020-06 for the Norco-Crestview Drive Basin Project. The scheduling of a Resolution of Necessity hearing on April 7, 2020, is needed in order to permit the Norco-Crestview Drive Debris Basin Project to move forward.

**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**

Fee interest and Temporary Construction Easement (Deposit)	\$111,500
Litigation Guarantees	\$1,000
Staff Time (Condemnation process)	\$40,000
Total Estimated Costs	\$152,500

**Attachments:**

Resolution No. F2020-05

Legal Description and Plat Map



Jason Farin, Senior Management Analyst

3/4/2020



Gregory J. Priamos, Director County Counsel

3/3/2020

**BOARD OF SUPERVISORS**

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

RESOLUTION NO. F2020-05

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. 2085-01 and 2085-01T (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. 2085-01 is a fee interest needed for the Project;

**WHEREAS**, Parcel No. 2085-01T 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

FORM APPROVED COUNTY COUNSEL  
BY: *Bruce G. Fordon* 2-25-20  
DATE: \_\_\_\_\_  
BRUCE G. FORDON

1 the Project and is incorporated herein by this reference and, therefore, nothing further under CEQA  
2 is required;

3 **WHEREAS**, the authorities that authorize the District to acquire the Subject Property  
4 interest by eminent domain include Article 1, Section 19 of the California Constitution; Section  
5 25350.5 of the Government Code; Section 48-9 of the Water Code-Appendix; and Sections  
6 1240.010, 1240.020, 1240.030, 1240.040, 1240.110, 1240.410, 1240.510 and 1240.610 of the  
7 Code of Civil Procedure; and

8  
9 **WHEREAS**, all provisions of CEQA and the District's rules to implement CEQA have  
10 been satisfied.

11 **NOW, THEREFORE, BE IT RESOLVED AND ORDERED** by the Board of  
12 Supervisors of the District in regular session assembled on March 10, 2020:

- 13 1. You are hereby notified that this Board at its public meeting on April 7, 2020 at 9:~~30~~  
14 a.m. in the meeting room of the Board of Supervisors, located on the 1<sup>st</sup> Floor of the  
15 County Administrative Center, 4080 Lemon Street, Riverside, California may decide  
16 to adopt a Resolution of Necessity that would authorize the District to acquire the  
17 Subject Property interest by eminent domain (and that would find and determine each  
18 of the following matters):
- 19 (a) The public interest and necessity require the Project;
  - 20 (b) The Project is planned or located in the manner that will be most compatible with  
21 the greatest public good and the least private injury;
  - 22 (c) The Subject Property interest is necessary for the Project;
  - 23 (d) The offer required by Section 7267.2 of the Government Code has been made to  
24 the owner or owners of record of the Subject Property;
  - 25 (e) This notice was duly given as required by Section 1245.235 of the California  
26 Code of Civil Procedure.
- 27  
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- 2. If within fifteen (15) days from the mailing of this Notice you file a written request to appear at the public meeting and be heard on the matters described in 1(a), 1(b), 1(c), 1(d) and 1(e) (or any one or more of them), you will have a right to appear at that meeting and be heard on those matters.
- 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).

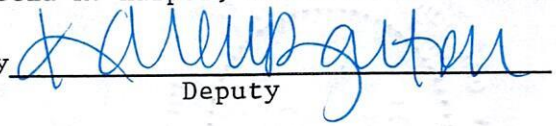
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ROLL CALL:

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt  
 Nays: None  
 Absent: None

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

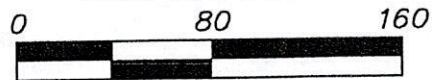
Date: 9-11-18\_\_\_\_\_

EXHIBIT "B"

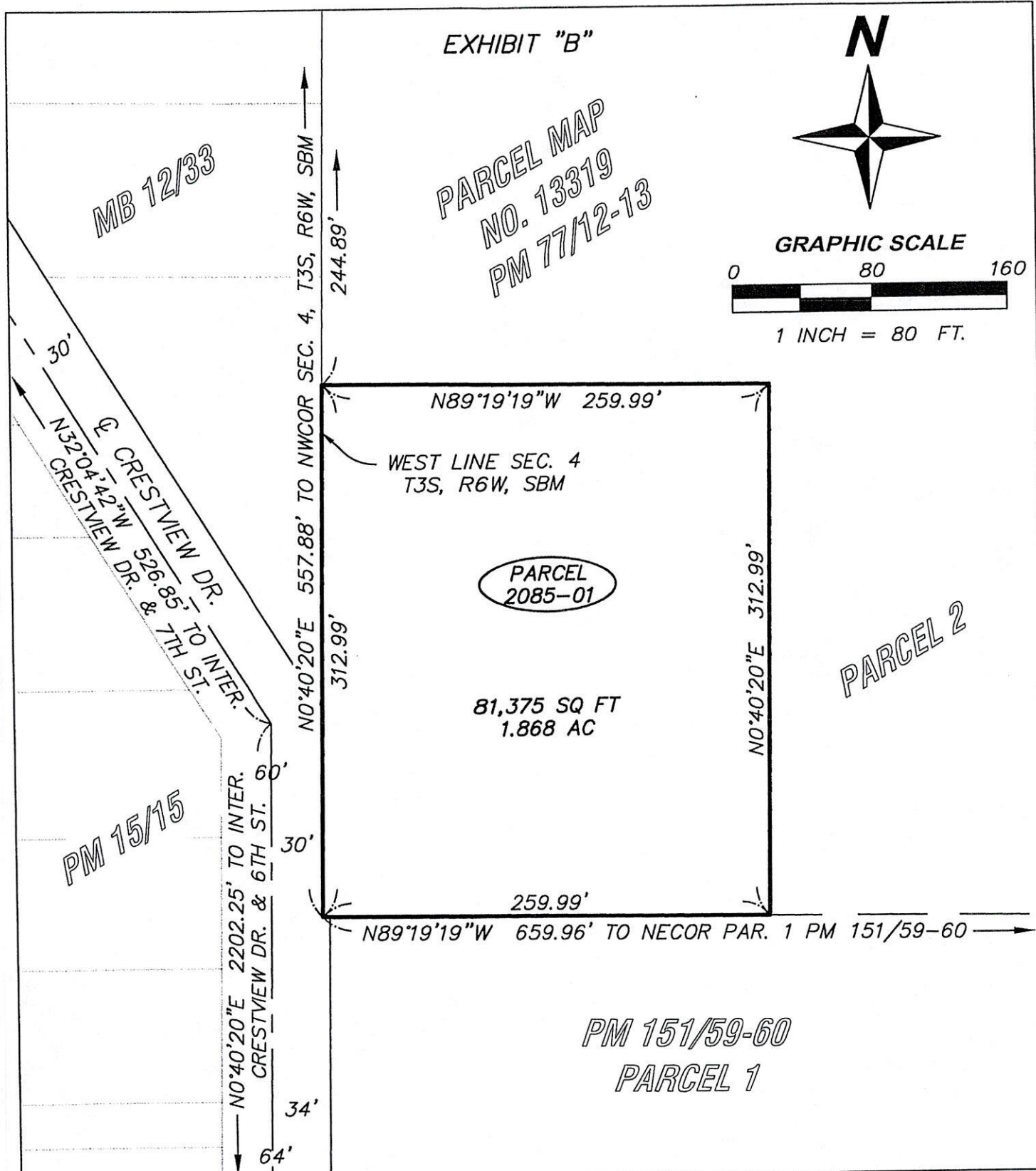
PARCEL MAP  
NO. 13319  
PM 77/12-13



GRAPHIC SCALE



1 INCH = 80 FT.



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: 9-11-18

EXHIBIT "B"

PARCEL MAP  
NO. 13319  
PM 77/12-13

MB 12/33

N89°19'19"W 339.99'

52,237 SQ FT  
1.199 AC

PARCEL  
2085-01T

30'  
N32°04'42"W 526.85'  
CRESTVIEW DR. & 7TH ST.  
CRESTVIEW DR. TO INTER.

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

164.89'

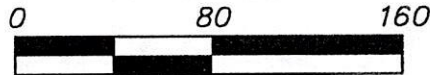
80.00'

N89°19'19"W 259.99'

WEST LINE SEC. 4  
T3S, R6W, SBM



GRAPHIC SCALE



1 INCH = 80 FT.

N0°40'20"E 312.99'

N0°40'20"E 392.99'

PARCEL 2

PM 151/15

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

60'

30'

34'

64'

259.99'

80.00'

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

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):	2085-01T	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. F2020-05, NOTICE OF INTENTION TO ADOPT A RESOLUTION OF NECESSITY FOR THE NORCO-CRESTVIEW DRIVE DEBRIS BASIN PROJECT IN THE CITY OF NORCO, RIVERSIDE COUNTY, SECOND DISTRICT**

I, HANNAH LUMANAUW, Deputy Clerk of the Board, hereby declare as follows:

That on March 19, 2020, I served by mail (1) a copy of Resolution No. F2020-05, Notice of Intention to Adopt a Resolution of Necessity for the Norco-Crestview Drive Debris Basin Project in the City of Norco, Riverside County; (2) the original of the letter dated March 10, 2020 from the Clerk of the Board of Supervisors to the following property owners as mentioned below; and (3) a copy of Exhibit "A" and "B" attached to Resolution F2020-005, 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.  
c/o Dann Narveson, Director, Real Estate  
SCI Shared Resources, LLC  
1929 Allen Parkway, 7<sup>th</sup> Floor  
Houston, TX 77019  
**Article#:** 7013 0600 0001 1305 5529

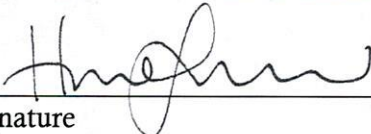
Arlington Cemetery Association, Inc.  
P.O. Box 130548  
Houston, TX 77219  
**Article#:** 7013 0600 0001 1305 5499

Arlington Cemetery Association, Inc.  
10621 Victory Boulevard  
North Hollywood, CA 91606  
**Article#:** 7013 0600 0001 1305 5505

Arlington Cemetery Association, Inc.  
P.O. Box 42165  
Houston, TX 77242  
**Article#:** 7013 0600 0001 1305 5512

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

Executed this 19<sup>th</sup> day of March, 2020 at Riverside County, California.

  
\_\_\_\_\_  
Signature