

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



ITEM: 11.1
(ID # 19680)

MEETING DATE:
Tuesday, September 13, 2022

FROM : FLOOD CONTROL DISTRICT:

SUBJECT: FLOOD CONTROL DISTRICT: Adoption of Resolution No. F2022-24 Authorization to Convey an Easement Interest in District-Owned Real Property, Portion of RCFC Parcel No. 3070-3, Within Assessor's Parcel Number 381-040-013, to Southern California Edison Company by Easement Deed, Ortega Channel Project, Project No. 3-0-00070, CEQA Exempt, District 1. [\$0] (4/5 Vote Required)

RECOMMENDED MOTION: That the Board of Supervisors:

1. Find that the conveyance of the utility easement interest as described in Resolution No. 2022-24 is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15305 "Minor Alterations in Land Use Limitations" exemption and Section 15061(b)(3) "Common Sense" exemption;
2. Adopt Resolution No. F2022-24 Authorization to Convey an Easement Interest in District-Owned Real Property, Portion of RCFC Parcel No. 3070-3, Within Assessor's Parcel Number 381-040-013, to Southern California Edison Company, a California publicly regulated private utility company, by Easement Deed, Ortega Channel Project, Project No. 3-0-00070;
3. Authorize the Chair of the Riverside County Flood Control and Water Conservation District's ("District") Board of Supervisors ("Board") to execute the Easement Deed in favor of Southern California Edison Company; and
4. Authorize the General Manager-Chief Engineer or his designee to execute any other related documents and administer all actions necessary to complete the transaction

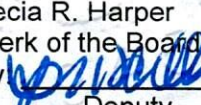
ACTION: 4/5 Vote Required, Policy

Jason Uhley, GENERAL MGR-CHF FLD CNTRL ENG 8/31/2022

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt
Nays: None
Absent: None
Date: September 13, 2022
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**

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:			Budget Adjustment:	NO
			For Fiscal Year:	2022/2023

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

On July 26, 2022, the District's Board approved Minute Order 11.8 adopting Resolution No. F2022-22, notice of intent to convey an easement interest in real property located in the City of Lake Elsinore to Southern California Edison Company, a California publicly regulated private utility company (SCE).

The District owns fee title interest in real property located in the City of Lake Elsinore identified as Assessor's Parcel Number (APN) 381-040-013, referenced as RCFC Parcel Number 3070-3 ("District ROW").

The District has agreed to grant an easement to SCE over District ROW to facilitate the construction and maintenance over and underground of existing transmission lines, also known as the Ortega Channel Project, approximately 160 square feet. SCE and the District agree and desire to finalize the transaction per the terms and conditions contained in the Easement Deed.

Pursuant to the California Water Code Appendix Ch. 48, Section 9, the District's Board has the power to convey an interest in real property which it owns when necessary or convenient to the full exercise of its powers. District staff has evaluated and determined that the conveyance of the easement interest to SCE will not interfere with the use of the property by the District as is necessary or convenient to the full exercise of the District's power.

Pursuant to the California Water Code Appendix Ch. 48, Section 13, the District's Board may determine any real property held by the District is no longer necessary to be retained for the uses and purposes thereof and may thereafter sell or otherwise dispose of said property or lease the same.

Environmental Findings

Pursuant to the CEQA Statutes and State CEQA Guidelines section 15305 "Minor Alterations in Land Use Limitations" exemption allows for minor alterations in land use limitations in areas which do not result in any changes in land use or density, including, but not limited to, issuance of minor encroachment permits. Additionally, the conveyance of an easement interest is also exempt from CEQA pursuant to Section 15061(b)(3) "Common Sense" exemption, which provides, "The activity is covered by the common-sense exemption that CEQA applies only to

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

projects which have the potential for causing a significant effect on the environment." The District's conveyance of the utility easement interest would not authorize any other activity that would have potential to result in a significant effect on the environment. Accordingly, because it can be seen with certainty that there is no possibility that the authorization to convey an easement interest to SCE by easement deed may have a significant effect on the environment, Section 15061(b)(3) of the State CEQA Guidelines also applies.

This Form 11 and Resolution No. F2022-24 have been approved as to form by County Counsel.

Impact on Residents and Businesses

There is no impact to the residences and business.

ATTACHMENTS:

1. Resolution No. F2022-24
2. Easement Deed
3. Vicinity Map

WFL:amh
P8/244913

Jacqueline Ruiz

Jacqueline Ruiz, Sr. Management Analyst

9/7/2022

Aaron Gettis

Aaron Gettis, Deputy County Counsel

8/31/2022

BOARD OF SUPERVISORS

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

RESOLUTION NO. F2022-24

AUTHORIZATION TO CONVEY AN EASEMENT INTEREST IN DISTRICT-OWNED REAL PROPERTY, PORTION OF RCFC PARCEL NO. 3070-3, WITHIN ASSESSOR'S PARCEL NUMBER 381-040-013, TO SOUTHERN CALIFORNIA EDISON COMPANY BY EASEMENT DEED, ORTEGA CHANNEL PROJECT, PROJECT NO. 3-0-00070

WHEREAS, on July 26, 2022, the Riverside County Flood Control and Water Conservation District's ("District") Board of Supervisors ("Board") approved Minute Order 11.8 adopting Resolution No. F2022-22, notice of intent to convey an easement interest in real property located in the city of Lake Elsinore to Southern California Edison Company, a California publicly regulated private utility company ("SCE"); and

WHEREAS, the District owns fee title interest in real property located in the city of Lake Elsinore, County of Riverside, State of California, identified as Assessor's Parcel Number ("APN") 381-040-013, referenced as RCFC Parcel Number. 3070-3 ("District ROW"); and

WHEREAS, the District has agreed to grant an easement to SCE over District ROW to facilitate the construction and maintenance, over and underground of existing transmission lines, also known as the Ortega Channel Project, approximately 160 square feet; and

WHEREAS, SCE and the District agree and desire to realize the transaction per the terms and conditions contained in the Easement Deed; and

WHEREAS, pursuant to the California Water Code Appendix, Ch. 48, Section 9, the District's Board has the power to convey an interest in real property which it owns when necessary or convenient to the full exercise of its powers. District staff has evaluated and determined that the conveyance of the permanent easement interest to SCE will not interfere with the use of the property by the District as is necessary or convenient to the full exercise of the District's power; and

FORM APPROVED COUNTY COUNSEL
BY: APRIL P. DHILLON 9/31/2022 DATE

1 **WHEREAS**, pursuant to the California Water Code Appendix, Ch. 48, Section 13, the
2 District's Board may determine any real property held by the District is no longer necessary to be
3 retained for the uses and purposes thereof and may thereafter sell or otherwise dispose of
4 said property or lease the same; and

5 **WHEREAS**, pursuant to the California Environmental Quality Agency ("CEQA")
6 Statutes and Guidelines Section 15305 "Minor Alterations in Land Use Limitations" exemption
7 allows for minor alterations in land use limitations in areas which do not result in any changes
8 in land use or density, including, but not limited to, issuance of minor encroachment permits.
9 Additionally, the conveyance of an easement interest is also exempt from CEQA pursuant to
10 CEQA Guidelines Section 15061(b)(3) "Common Sense" exemption, which provides the
11 activity is covered by the common-sense exemption that CEQA applies only to projects which
12 have the potential for causing a significant effect on the environment. The District's conveyance
13 of the utility easement interest would not authorize any other activity that would have potential
14 to result in a significant effect on the environment. Accordingly, because it can be seen with
15 certainty that there is no possibility that the authorization to convey an easement interest to SCE
16 by Easement Deed may have a significant effect on the environment, Section 15061(b)(3) of the
17 CEQA Guidelines also applies.

18 **NOW THEREFORE, BE IT FURTHER RESOLVED, DETERMINED AND**
19 **ORDERED** by the District's Board, in regular session on or after September 13, 2022 at
20 9:30 am or soon thereafter, in the meeting room of the Board located on the 1st Floor of
21 the County Administrative Center, 4080 Lemon Street, Riverside, California, that this
22 Board's staff has evaluated and determined that the conveyance of the Easement Deed for
23 utility purposes to SCE will not interfere with the use of the property for the intended
24 purpose of the District.
25
26
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

BE IT FURTHER RESOLVED, DETERMINED AND ORDERED that this Board authorizes the conveyance of an easement interest for construction by Easement Deed to SCE, in the city of Lake Elsinore, County of Riverside, State of California, identified as a portion of RCFC Parcel No. 3070-3 within APN 381-040-013, and more particularly described in Exhibit "A" and depicted in Exhibit "B", attached hereto and incorporated herein by this reference.

BE IT FURTHER RESOLVED, DETERMINED AND ORDERED that the Chair of the District's Board of is authorized to execute the Easement Deed in favor of SCE on behalf of the District.

BE IT FURTHER RESOLVED, DETERMINED AND ORDERED that the General Manager-Chief Engineer or his designee is authorized to execute any other documents and administer all actions necessary to complete this transaction.

ROLL CALL:

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



EXHIBIT "A"

A 4.00 FOOT WIDE STRIP OF LAND LYING WITHIN PARCEL 3070-3, AS SHOWN ON RECORD OF SURVEY, AS PER MAP FILED IN BOOK 59, PAGE 35 OF RECORD OF SURVEYS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, STATE OF CALIFORNIA, THE CENTERLINE OF SAID STRIP IS DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST WESTERLY CORNER OF SAID PARCEL 3070-3, SAID CORNER BEING THE INTERSECTION OF THE NORTHEASTERLY LINE OF GRAND AVENUE, 40.00 FOOT HALF-WIDTH, WITH THE NORTHWESTERLY LINE OF SAID PARCEL 3070-3; THENCE ALONG THE NORTHWESTERLY LINE OF SAID PARCEL 3070-3, NORTH 36°31'05" EAST 139.50 FEET TO THE TRUE POINT OF BEGINNING; THENCE LEAVING THE NORTHWESTERLY LINE OF SAID PARCEL 3070-3, SOUTH 53°28'55" EAST 40.00 FEET TO A POINT OF ENDING IN THE SOUTHEASTERLY LINE OF SAID PARCEL 3070-3.

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



Prepared by me or under my supervision:

Dated: Mar. 3, 2022

Glenn M. Bakke

Glenn M. Bakke R.C.E. #18619 Exp. 06-30-2023

EXHIBIT "B"



POR. LOT 3 IN
BLOCK 'C' OF
SUBDIVISION IN ELSINORE
M.B. 8 / 377
SAN DIEGO COUNTY

PARCEL 3070-3
RECORD OF SURVEY
R.S. 59 / 35
RIVERSIDE COUNTY

LOT 29 OF
TRACT NO. 19561
M.B. 162 / 41-42
RIVERSIDE COUNTY

TPOB


SCE
EASEMENT
4' WIDE

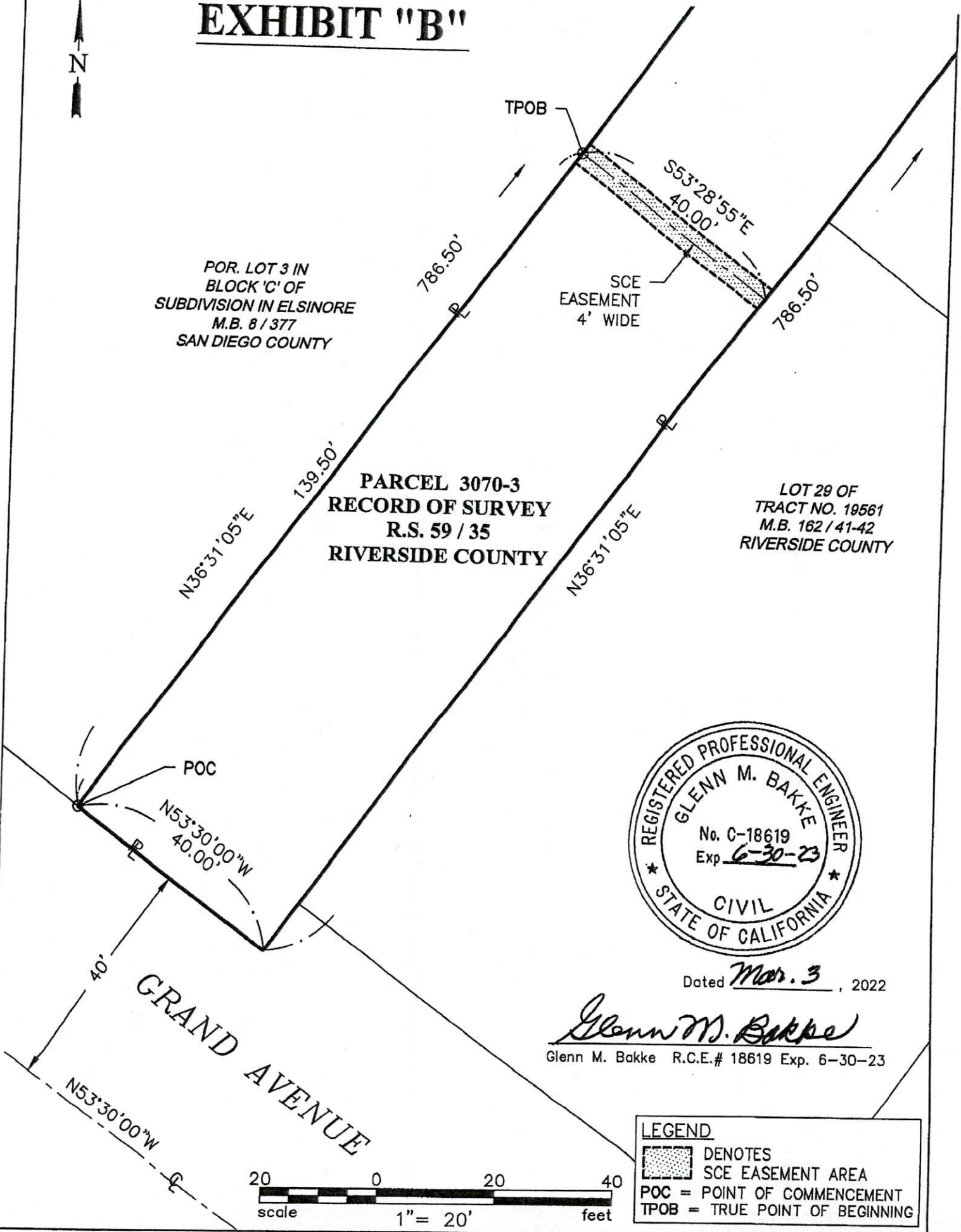
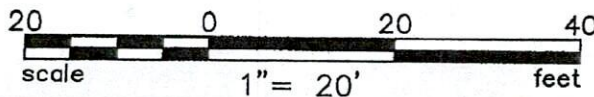
POC

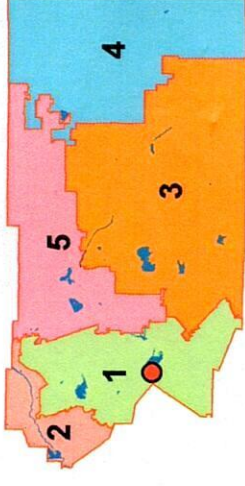
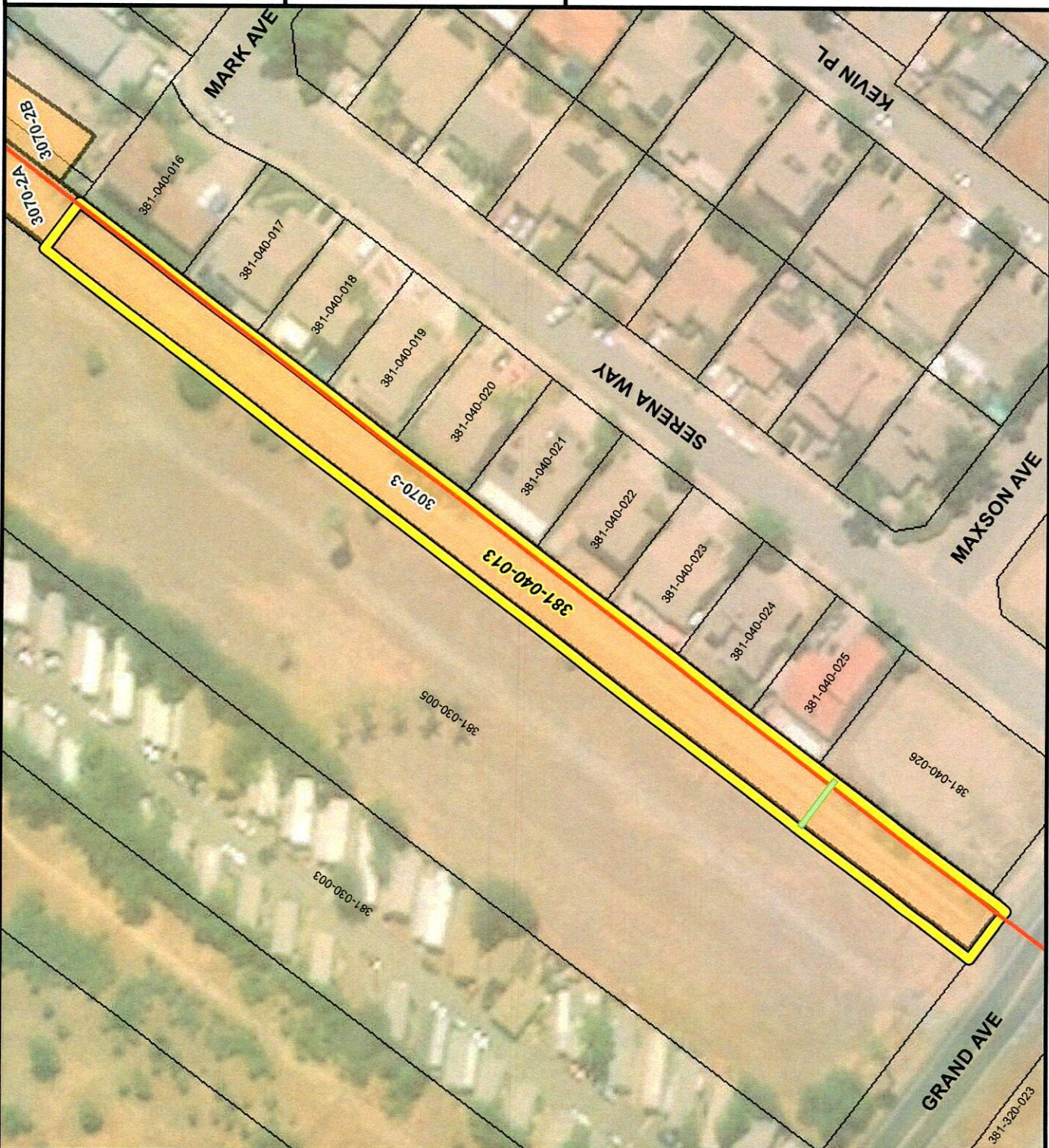


Dated Mar. 3, 2022

Glenn M. Bakke
Glenn M. Bakke R.C.E.# 18619 Exp. 6-30-23






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





Supervisor Districts

Legend

-  Assessor Parcel
-  RCFC Parcel
-  Upcoming Easement
-  Existing Facility
-  Supervisorial District

Description

Ortega Channel
 Project Number 3-0-00070
 RCFC Parcel No 3070-3



RIVERSIDE COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT
ASSESSOR'S PARCEL NUMBER 381-040-013
Vicinity Map



Exhibit B



RECORDING REQUESTED BY



SOUTHERN CALIFORNIA
EDISON

An EDISON INTERNATIONAL Company

COPY

WHEN RECORDED MAIL TO

SOUTHERN CALIFORNIA EDISON COMPANY

2 INNOVATION WAY, 2nd FLOOR
POMONA, CA 91768

Attn: Title and Real Estate Services

SPACE ABOVE THIS LINE FOR RECORDER'S USE

SCE Doc. No.

**GRANT OF
EASEMENT**

**(AERIAL &
OVERHANG)**

**Pursuant to
RCFC&WCD**

**Encroachment Permit
No. 3-0-00070-4023**

DOCUMENTARY TRANSFER TAX \$ NONE VALUE AND CONSIDERATION LESS THAN \$100.00)		DISTRICT Wildomar	SERVICE ORDER TD1943519	SERIAL NO.	MAP SIZE
SCE Company		GVM MT-6424-D	APPROVED:	BY	DATE
SIG. OF DECLARANT OR AGENT DETERMINING TAX	FIRM NAME	APN 381-040-013	VEGETATION & LAND MANAGEMENT/ LAW DEPARTMENT (M.A.R.)	SLS/BT	08/23/2022

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 aerial easement 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 providing a 30-foot minimum vertical clearance from the channel access road (hereinafter referred to as "systems"), consisting of overhanging crossarms, wires and other appurtenant fixtures and/or equipment necessary or useful, for distributing electrical energy and for transmitting intelligence, data and/or communications (eg. through fiber optic cable), over, along and across 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 further grants, bargains, sells and conveys unto the Grantee the right of assignment, in whole or in part, to others, without limitation, and the right to apportion or divide in whatever manner Grantee deems desirable, any one or more, or all, of the easements and rights, including but not limited to all rights of access and ingress and egress granted to the Grantee by this Grant of Easement.

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 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, or any part thereof, or interfere with the exercise of the rights herein granted.

SEP 13 2022 1111

EXECUTED this _____ day of _____, 20____.

FORM APPROVED COUNTY COUNSEL
BY: AMRITT P. DHILLON
DATE: 6/31/2022

GRANTOR

RIVERSIDE COUNTY FLOOD CONTROL AND
WATER CONSERVATION DISTRICT

Karen S. Spiegel
Signature

KAREN SPIEGEL
Print Name

Chair
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, _____, a Notary Public, 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 _____ (Seal)

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 September 13, 2022, before me, Priscilla Rasso, Board Assistant, personally appeared, Karen S. Spiegel, who provided to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument; and that a copy of this paper, document or instrument has been delivered to the chairperson.

I certify under the 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 R. Harper
Clerk of the Board of Supervisors

By: Priscilla Rasso
Deputy Clerk

(SEAL)

EXHIBIT "A"

A 4.00 FOOT WIDE STRIP OF LAND LYING WITHIN PARCEL 3070-3, AS SHOWN ON RECORD OF SURVEY, AS PER MAP FILED IN BOOK 59, PAGE 35 OF RECORD OF SURVEYS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, STATE OF CALIFORNIA, THE CENTERLINE OF SAID STRIP IS DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST WESTERLY CORNER OF SAID PARCEL 3070-3, SAID CORNER BEING THE INTERSECTION OF THE NORTHEASTERLY LINE OF GRAND AVENUE, 40.00 FOOT HALF-WIDTH, WITH THE NORTHWESTERLY LINE OF SAID PARCEL 3070-3; THENCE ALONG THE NORTHWESTERLY LINE OF SAID PARCEL 3070-3, NORTH 36°31'05" EAST 139.50 FEET TO THE **TRUE POINT OF BEGINNING**; THENCE LEAVING THE NORTHWESTERLY LINE OF SAID PARCEL 3070-3, SOUTH 53°28'55" EAST 40.00 FEET TO A POINT OF ENDING IN THE SOUTHEASTERLY LINE OF SAID PARCEL 3070-3.

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



Prepared by me or under my supervision:

Dated: Mar. 3, 2022

Glenn M. Bakke
Glenn M. Bakke R.C.E. #18619 Exp. 06-30-2023

EXHIBIT "B"



POR. LOT 3 IN
BLOCK 'C' OF
SUBDIVISION IN ELSINORE
M.B. 8 / 377
SAN DIEGO COUNTY

PARCEL 3070-3
RECORD OF SURVEY
R.S. 59 / 35
RIVERSIDE COUNTY

LOT 29 OF
TRACT NO. 19561
M.B. 162 / 41-42
RIVERSIDE COUNTY

TPOB

SCE
EASEMENT
4' WIDE


POC



Dated Mar. 3, 2022

Glenn M. Bakke
Glenn M. Bakke R.C.E.# 18619 Exp. 6-30-23

LEGEND

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

