

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



ITEM: 11.4
(ID # 20505)

MEETING DATE:
Tuesday, November 29, 2022

FROM : FLOOD CONTROL DISTRICT:

SUBJECT: FLOOD CONTROL DISTRICT: Review and Determine That Emergency Conditions Continue and There is a Need to Continue the Fairview Fire Emergency Actions in the Areas of East Hemet, Diamond Valley, Sage and Valle Vista in Unincorporated Riverside County and the City of Hemet, CEQA Exempt, District 3. [\$0] (4/5 vote required)

RECOMMENDED MOTION: That the Board of Supervisors:

1. Finds that the Emergency Actions by the Riverside County Flood Control and Water Conservation District ("District") as they relate to the Fairview Fire are exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 15269(a), (b) and (c) of the CEQA Guidelines; and
2. Review and determine that emergency conditions continue and there is a need to continue the Fairview Emergency Actions ("Emergency Actions").

ACTION: 4/5 Vote Required, Policy

Jason Uhley, GENERAL MGR-CHF FLD CNTRL ENG 11/15/2022

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Jeffries, Spiegel, Washington, Hewitt, and Perez
Nays: None
Absent: None
Date: November 29, 2022
xc: Flood

Kecia R. Harper
Clerk of the Board
By
Deputy

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| 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: N/A | |

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

In the event of an emergency, California Public Contract Code Section 22050 and the District's Resolution No. F94-39, adopted by the District's Board of Supervisors on November 22, 1994 (Agenda Item No. 9.4), delegates to the General Manager-Chief Engineer of the District the authority to repair or replace a public facility, take any directly related and immediate action required by that emergency, and procure the necessary equipment, services and supplies for those purposes without giving notice for bids to let contracts.

The Fairview Fire began on September 5, 2022 on Bautista Road and Fairview Avenue near the unincorporated County area of East Hemet. Conditions of extreme peril to the safety of people, property and critical infrastructure necessitated the evacuation of part of the city of Hemet and contiguous unincorporated areas of the County. On September 7, 2022, pursuant to Riverside County Ordinance No. 533, the Riverside County Director of Emergency Services proclaimed that a "Local Emergency" exists in Riverside County. Subsequently, Governor Gavin Newsom declared a state of emergency due to wildfires burning throughout the state, including the Fairview Fire on September 8, 2022. The Riverside County Board of Supervisors adopted Resolution No. 2022-187 on September 13, 2022 (Agenda Item No. 3.25) to ratify the Proclamation of Local Emergency as declared by the Riverside County Director of Emergency Services.

The Fairview Fire has burned over 28,307 acres in the county of Riverside, including the hilly terrain and canyons that drain toward the areas of East Hemet, Diamond Valley, Sage and Valle Vista in unincorporated Riverside County and the city of Hemet ("Post-Fire Risk Area"). The Fairview Fire has burned several canyons, which can produce dangerous mud and debris flows and increase the risk of flooding in populated areas during the upcoming rainy season. The District's existing facilities in the area – including, but not limited to, Bautista Creek Channel and Fairview Avenue Channel – provide flood protection for the adjacent communities during large storm events. However, due to the vast burn area in the canyons, these facilities have a high potential to receive mud and vegetative debris from the burnt watershed during storm events. Blockage of or damage to the flood control facilities could result in a threat to life and property in the adjacent communities in the Post-Fire Risk Area.

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With the impending start of the winter storm season, the General Manager-Chief Engineer, in accordance with California Public Contract Code Section 22050 and the District's Resolution No. F94-39, found that the emergency will not permit a delay in the implementation of the Emergency Actions resulting from a competitive solicitation for bids.

On October 18, 2022 (Agenda Item No. 11.9) and November 1, 2022 (Agenda Item No. 11.2), the District's Board of Supervisors made motions to (i) review and determine that emergency conditions continue and there is a need to continue the Emergency Actions, (ii) receive and file the Emergency Actions and (iii) authorize the use of District funds for the Emergency Actions. It is requested that the District's Board of Supervisors review and determine that emergency conditions continue and there is a need to continue the Emergency Actions.

In addition to the Emergency Actions, the District:

- Has obtained aerial imagery and produced topographic mapping of a portion of the burn area to support updated floodplain mapping for areas at risk and analysis of existing facilities;
- Is currently evaluating potential emergency projects that may be needed to restore existing District facilities in the Post Fire Risk Area after flood, mud or debris events;
- Is identifying agencies that the District may need to partner with to facilitate emergency mitigation actions to protect or enhance District infrastructure;
- Is coordinating with and providing data to the United States Forest Service's Burn Area Emergency Response Team and CALFIRE Watershed Emergency Response Team, who are responsible for assessing the severity of the burn, and identifying areas at risk;
- Is coordinating with the Riverside County Emergency Management Department to provide information to guide the development of the Concept of Operations plan that will coordinate information sharing, public communication, and coordinated multi-agency preparation and response to events; and
- Is beginning coordination and sharing of information with local agencies to assist them with the preparation of their individual mitigation and response activities for the coming winter.

Environmental Analysis

Based on the review of the Emergency Actions, the District finds that the work is exempt pursuant to Section 15269(a), (b) and (c) of the California Environmental Quality Act ("CEQA") Guidelines. The Emergency Actions meet the conditions described in Section 15269(a) for actions to maintain, repair, restore, demolish or replace property or facilities damaged or destroyed as a result of a disaster. Additionally, the Emergency Actions meet the conditions described in Section 15269(b) for emergency maintenance of facilities essential to public health, safety and welfare, as well as Section 15269(c) for the mitigation and prevention of an emergency situation. On September 7, 2022, pursuant to Riverside County Ordinance No. 533, the Riverside County Director of Emergency Services proclaimed that a "Local Emergency"

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exists in Riverside County. The Governor declared a state of emergency for the wildfires burning statewide, including the Fairview Fire, on September 8, 2022. The Riverside County Board of Supervisors recognized the Fairview Fire as a local emergency on September 13, 2022. No further analysis is required under CEQA.

Prev. Agn. Ref.: 9.4 of 11/22/94
MT 20179, 11.9 of 10/18/2022
MT 20197, 11.2 of 11/01/2022

Impact on Residents and Businesses

The conditions in the burn areas of the fire have left the communities in the Post-Fire Risk Area vulnerable to flooding and mud flows during storm events. In the event of a storm, the Post-Fire Risk Area may be negatively impacted if these measures are not taken to protect the communities.

RMG:ju
P8/246922



Jason Farin, Principal Management Analyst 11/21/2022



Kristine Bell-Valdez, Supervising Deputy County Counsel 11/16/2022