

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



ITEM: 11.2  
(ID # 21540)

**MEETING DATE:**  
Tuesday, June 13, 2023

**FROM :** FLOOD CONTROL DISTRICT:

**SUBJECT:** FLOOD CONTROL DISTRICT: Approval of Cooperative Agreement Between the Riverside County Flood Control and Water Conservation District, the County of Riverside and Cal-Equity, L.P. for Romoland – Dawson Road Lateral Storm Drain, Stage 2 (Tract No. 37358), Project No. 4-0-00426, CEQA Exempt per State CEQA Guidelines Section 15061(b)(3), District 3. [\$0] (Companion Item to MT Item No. 22088)

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

1. Find that execution of the Cooperative Agreement is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3), the "Common Sense" exemption;

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**ACTION:Policy**

Jason Uhley, GENERAL MGR-CHF FLD CNTRL ENG 5/30/2023

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**MINUTES OF THE BOARD OF SUPERVISORS**

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

Ayes: Jeffries, Washington, and Gutierrez  
Nays: None  
Absent: Spiegel, Perez  
Date: June 13, 2023  
xc: Flood, Trans.

Kimberly A. Rector  
Clerk of the Board

By:   
Deputy

(Companion Item: 3.26)

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

2. Approve the Cooperative Agreement between the Riverside County Flood Control and Water Conservation District ("District"), the County of Riverside ("County") and Cal-Equity, L.P. ("Developer");
3. Authorize the Chair of the District's Board of Supervisors to execute the Cooperative Agreement documents on behalf of the District;
4. Authorize the General Manager-Chief Engineer or designee to take all necessary steps to implement the Cooperative Agreement, including, but not limited to, negotiating, approving, and executing any non-substantive amendments and any assignment and assumption associated with change of ownership of the property, subject to approval by County Counsel; and
5. Direct the Clerk of the Board to return four (4) copies of the executed Cooperative Agreement to the District and one (1) executed Cooperative Agreement to the County.

<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>	\$ 0	\$ 0	\$ 0	\$ 0
<b>NET COUNTY COST</b>	\$ 0	\$ 0	\$ 0	\$ 0
<b>SOURCE OF FUNDS:</b> The Developer is funding all construction and construction inspection costs (100%).			<b>Budget Adjustment:</b> No	
			<b>For Fiscal Year:</b> N/A	

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

**BACKGROUND:**

**Summary**

The Cooperative Agreement ("Agreement") sets forth the terms and conditions by which certain flood control facilities required as a condition of approval for Tract Map No. 37358 are to be constructed by the Developer and will be inspected, operated, and maintained by the District and County.

The Agreement is necessary to formalize the transfer of necessary rights of way and to provide for District construction inspection and subsequent operation and maintenance of the referenced storm drain facilities.

Upon construction completion of the drainage facilities, the District will assume ownership, operation and maintenance of (i) the mainline storm drain system greater than 36 inches in diameter for Romoland – Dawson Road Lateral Storm Drain, Stage 2 and (ii) concrete pads, slope protection barriers, signage and fencing.

The County will assume ownership, operation and maintenance of the project's associated catch basins, concrete aprons, drop inlets, connector pipes and certain lateral storm drains that are 36 inches or less in diameter located within the County's rights of way.



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County Counsel has approved the Agreement as to legal form, and the Developer has executed the Agreement. A companion item appears on the Riverside County Transportation Department's agenda this same date.

**Environmental Finding**

The Agreement is exempt from CEQA pursuant to the CEQA Guidelines section 15061(b)(3) ("Common Sense" exemption), which provides, "The activity is covered by the common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA." The Agreement does not authorize actual physical development of the underlying property to any extent whatsoever. The Agreement merely establishes the terms and conditions under which the District will accept future operation and maintenance responsibilities of the facilities identified in the Agreement if and when they are constructed. Such development, if it occurs at all, is subject to separate CEQA review by the lead agency with land use authority over the development prior to construction. As such, execution of this Agreement is a separate and distinct project under CEQA from the development of the site, therefore, it can be seen with certainty that there is no possibility that executing this Agreement will have a significant effect on the environment.

**Impact on Residents and Businesses**

As noted above, construction of these drainage and channel improvements are a requirement for the development of Tract Map No. 37358. The principal beneficiaries are the future residents of the Tract. Ancillary benefits will accrue to the public who will utilize the Tract's roadways.

**Additional Fiscal Information**

The Developer is funding all construction and construction inspection costs. Future operation and maintenance costs of the District maintained storm drain facilities will accrue to the District.

**ATTACHMENTS**

1. Vicinity Map
2. Cooperative Agreement

MM:rlp  
P8/251201

  
Jason Farin, Principal Management Analyst

6/7/2023

  
Aaron Gettis, Deputy County Counsel

6/3/2023