



• **Board of Directors**
Real Property and Asset Management Committee

1/11/2022 Board Meeting

7-4

Subject

Review and consider the County of Riverside's adopted Mitigated Negative Declaration and take related CEQA actions, and authorize the General Manager to grant a permanent easement for drainage purposes to the County of Riverside Flood Control and Water Conservation District on Metropolitan property in Riverside County

Executive Summary

This action authorizes the General Manager to grant a permanent easement to the County of Riverside Flood Control and Water Conservation District for a drainage facility within Metropolitan's fee-owned property on the west side of Lake Mathews in Riverside County. The proposed easement area is located on the south side of El Sobrante Road, just east of McAllister Street and will encumber a small portion of Metropolitan's Lake Mathews property (**Attachment 1**). The County will be responsible for maintenance and repairs associated with the drainage area, relieving Metropolitan of the expense. Board authorization to grant this easement is required as the real property interest to be conveyed exceeds five years.

Details

Background

The County of Riverside Flood Control and Water Conservation District is requesting a permanent easement of approximately 0.17 acres for offsite drainage improvements, within an existing watercourse, to accommodate an adjacent 272-lot single-family home project to be developed north of the requested easement area. The requested easement area within Metropolitan's fee-owned property is located on the south side of El Sobrante Road, just east of McAllister Street in Riverside County. Limited grading, storm drain headwall, and riprap erosion protection will be constructed within the easement area. The requested area is outside the Lake Mathews conservation easement and ecological reserve boundaries. The proposed improvements are within an existing watercourse that runs in a north westerly direction on the north side of Lake Mathews, as shown on **Attachment 1**. Staff has determined that the easement will not interfere with Metropolitan's operations, and any improvements proposed within the easement area are subject to Metropolitan's prior review and written approval.

The permanent drainage easement will have the following key provisions:

- Compatible use between two public entities with prior rights provisions for Metropolitan.
- Construction, operation and maintenance of a public drainage facility.
- The County of Riverside Flood Control and Water Conservation District to be responsible for the operation and maintenance of the drainage facility and for indemnifying Metropolitan.
- All plans for both the initial construction as well as significant repair, maintenance, and replacement must be reviewed and approved by Metropolitan prior to commencement.
- The County of Riverside Flood Control and Water Conservation District to keep the easement area free of trespass, noxious weeds, and trash, at its sole cost and expense.
- The permanent easement will be terminated due to non-use and abandonment for a period of three consecutive years.

The fair market value for the proposed easement is \$1,000 as determined by a qualified licensed appraiser. Metropolitan will also receive a one-time processing fee of \$7,000.

Policy

Metropolitan Water District Administrative Code Section 8230: Grants of Real Property Interests

Metropolitan Water District Administrative Code Section 8231: Appraisal of Real Property Interests

Metropolitan Water District Code Section 8232: Terms and Conditions of Management

Metropolitan Water District Administrative Code Section 11100: Environmental Matters

By Minute Item 48766, dated August 16, 2011, the Board adopted fair market value policies for managing Metropolitan's real property assets.

California Environmental Quality Act (CEQA)

CEQA determination for Option #1:

Pursuant to the provisions of CEQA and the State CEQA Guidelines, the County of Riverside, acting as the Lead Agency, adopted the Mitigated Negative Declaration (MND) and a Mitigation Monitoring Reporting Program (MMRP) on May 25, 2016, for the General Plan No. 1127. Change of Zone No. 7844. and Tract Map No. 36730. Metropolitan, as Responsible Agency under CEQA, is required to certify that it has reviewed and considered the information in the MND and MMRP and adopted the Lead Agency's findings prior to the approval of the formal terms and conditions for the permanent easement. The environmental documentation is in **Attachment 2**.

CEQA determination for Option #2:

None required

Board Options

Option #1

Review and consider the County of Riverside's adopted Mitigated Negative Declaration and take related CEQA actions, and authorize the granting of a permanent easement for drainage purposes to the County of Riverside Flood Control and Water Conservation District.

Fiscal Impact: Metropolitan will receive one-time processing fees of \$7,000 and \$1,000 as the fair market value for the easement area.

Business Analysis: Cooperation with other public agencies, by granting easements and other rights of entry, furthers the public interest and facilitates Metropolitan's obtaining easements and other property rights critical for its operations. Metropolitan will also receive positive revenue in the form of fees and fair market value for the easement.

Option #2

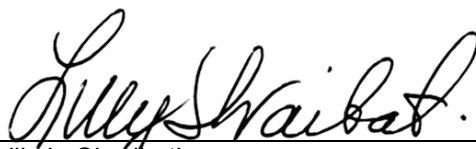
Do not authorize the permanent easement.

Fiscal Impact: Metropolitan will forego one-time processing and conveyance fees of \$8,000.

Business Analysis: The County of Riverside Flood Control and Water Conservation District will not be permitted to operate the drainage facility needed to accommodate the proposed adjacent housing development project and may use eminent domain action to obtain the necessary easement. This option could hinder opportunities to obtain rights or permits for Metropolitan project from the County of Riverside and the County of Riverside Flood Control and Water Conservation District in the future.

Staff Recommendation

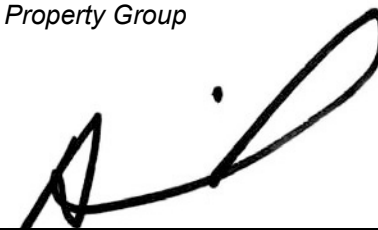
Option #1



Lilly L. Shraibati
Group Manager
Real Property Group

12/17/2021

Date



Adel Hagekhalil
General Manager

12/20/2021

Date

Attachment 1 – Site Map

Attachment 2 – EIR Documentation

Ref# rpd12142021

Site Map





*THE METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA*
700 N. Alameda Street, Los Angeles, California 90012

1/11/2022 Board Meeting

Board Letter # 7-4

**Review and consider the County of Riverside's adopted Mitigated Negative Declaration
and take related CEQA actions, and authorize the General Manager to grant a
permanent easement for drainage purposes to the County of Riverside Flood Control
and Water Conservation District on Metropolitan property in Riverside County**

[Attachment 2 – EIR Documentation](#)