

MINUTE ITEM

This Calendar Item No. 18
was approved as Minute Item
No. 18 by the State Lands
Commission by a vote of 3
to 0 at its 2/17/87
meeting.

CALENDAR ITEM

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S 36

ML
72

02/17/87
SA 5660 PRC 7042
Reese

TEMPORARY
RIGHT-OF-ENTRY PERMIT

APPLICANT: Department of Corrections,
(and its Contractors)
Planning and Construction Division
501 J Street, Room 300
Sacramento, California 95814

OTHER INTERESTED PARTIES:
Santa Ana Watershed Project Authority
and Western Municipal Water District
of Riverside County and their Contractors
3800 Tyler Street, Suite 207
Riverside, California 92503

AREA, TYPE LAND AND LOCATION:
A 3.247+-acre parcel of State school land,
located in Norco, Riverside County.

LAND USE: Construction of a sewer line to facilitate
Department of Corrections Rehabilitation Center
at Norco.

TERMS OF PROPOSED PERMIT:
Initial period: Two years beginning
February 17, 1987.

Special: 1. The applicants agree to
indemnify and hold harmless
the State Lands Commission for
all loss or liability suffered
by State Lands Commission and
to repair or pay for any
damage caused by reason of
the use authorized by this
Temporary Right-of-Entry
Permit.

(ADDED 02/11/87)

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CALENDAR ITEM NO. 71 (CONT'D)

STATUTORY AND OTHER REFERENCES:

- A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.
- B. Cal. Adm. Code: Title 2, Div. 3; Title 14, Div. 6.

AB 884: N/A.

OTHER PERTINENT INFORMATION:

1. An EIR was prepared and adopted for this project by Santa Ana Watershed Project Authority. The State Lands Commission's staff has reviewed such document and believe that it complies with the requirements of the California Environmental Quality Act (CEQA).
2. The applicant has applied to the State Lands Commission for the purchase of a Permanent Easement across State school land. Due to construction deadlines applicant has requested a Temporary Right-of-Entry be obtained by February 17, 1987. The Right-of-Entry permit shall be for two years or until the Commission's granting of a Permanent Easement, whichever occurs first.

APPROVALS OBTAINED:

Santa Ana Watershed Project Authority Western Municipal Water District of Riverside County.

FURTHER APPROVALS REQUIRED:

N/A.

EXHIBITS:

- A. Land Description.
- B. Site Map.
- C. Location Map.
- D. Temporary Right-of-Entry Permit.
- E. EIR Summary.
- F. CEQA Findings.

(ADDED 02/11/87)

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CALENDAR ITEM NO. 15 (CONT'D)

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT AN EIR HAS BEEN PREPARED AND ADOPTED FOR THIS PROJECT BY SANTA ANA WATERSHED PROJECT AUTHORITY AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.
2. ADOPT THE FINDINGS REQUIRED BY THE CEQA AND ITS GUIDELINES WHICH ARE HEREIN ATTACHED AS EXHIBIT "F".
3. DETERMINE THAT THE PROJECT, AS APPROVED, WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
4. AUTHORIZE ISSUANCE TO DEPARTMENT OF CORRECTIONS (AND ITS CONTRACTORS) OF A TWO-YEAR TEMPORARY RIGHT-OF-ENTRY PERMIT FOR CONSTRUCTION OF A SEWER LINE ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND SUBSTANTIALLY IN THE FORM ATTACHED AS EXHIBIT "D" AND BY REFERENCE MADE A PART HEREOF, BEGINNING FEBRUARY 17, 1987; APPLICANTS TO INDEMNIFY AND HOLD HARMLESS THE STATE LANDS COMMISSION FOR ALL LOSS AND LIABILITY SUFFERED BY STATE LANDS COMMISSION AND TO REPAIR OR PAY FOR ANY DAMAGE CAUSED BY OR ARISING FROM USE OR OCCUPATION OF THE PREMISES UNDER THIS TEMPORARY RIGHT-OF-ENTRY PERMIT.

(ADDED 02/11/87)

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EXHIBIT "A"

LAND DESCRIPTION

SA 5689

PARCEL 1

A strip of land 30.00 feet in width being a portion of that land granted to the State Lands Commission described as Parcel 1 in Instrument 138851, recorded August 12, 1982, Records of Riverside County, California; the centerline of said strip of land being more particularly described as follows:

COMMENCING at the southwesterly corner of said Parcel 1; thence N 0°01'02" E, 20.00 feet along the westerly line of said Parcel 1 to the TRUE POINT OF BEGINNING; thence S 89°58'12" E, 15.00 feet; thence N 0°01'02" E, parallel and 15.00 feet easterly of the westerly line of said Parcel 1, 1,203.99 feet; thence N 21°38'42" E, 305.14 feet; thence N 4°51'17" E, 499.75 feet; thence N 0°01'07" E, parallel and 15.00 feet easterly of the westerly line of said Parcel 1 also being the easterly right-of-way line of vacated Western Avenue, 806.05 feet, more or less to the northerly line of said Parcel 1 and the end of the herein described line.

The sidelines of said strip of land shall be prolonged or shortened so as to terminate at the westerly and northerly line of said Parcel 1.

The basis of bearing for this description is the southerly line of Parcel No. 1 shown as N 89°58'12" W by Record of Survey filed in Book 26, Page 26, Records of Riverside County, California.

PARCEL 2

A strip of land 20.00 feet wide easterly of and contiguous to the 30.00 foot strip of land described as Parcel 1 above, with sidelines prolonged or shortened so as to terminate at the westerly and northerly lines of Parcel 1 described in said Instrument 138851.

END OF DESCRIPTION

REVISED FEBRUARY 5, 1987 BY BOUNDARY SERVICES UNIT, M. L. SHAFER, SUPERVISOR.

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| 13 | 81 | 14 |
| 6 | 82 | 16 |
| 7 | 83 | 15 |
| 20 | 84 | 19 |

THIRD STREET

APN 129-150-06

SEC. 11
T. 55, R. 17W.

SEC. 12
T. 55, R. 17W.

SEC. 14
T. 55, R. 17W.

SEC. 13
T. 55, R. 17W.

N 4° 51' 17" E
499.75'

N 21° 52' 42" E
305.14'

APN 129-150-04

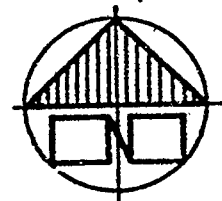


EXHIBIT "B"
SA 5660



S 69° 50' 12" E 0469.20'

S 69° 50' 12" E 1283.49'

N 0° 01' 02" E 1208.99'

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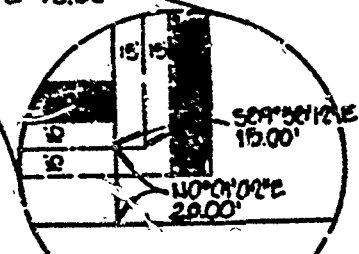
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20'

TRACT 2029
M.D. 80/95-96 P.V. CO.



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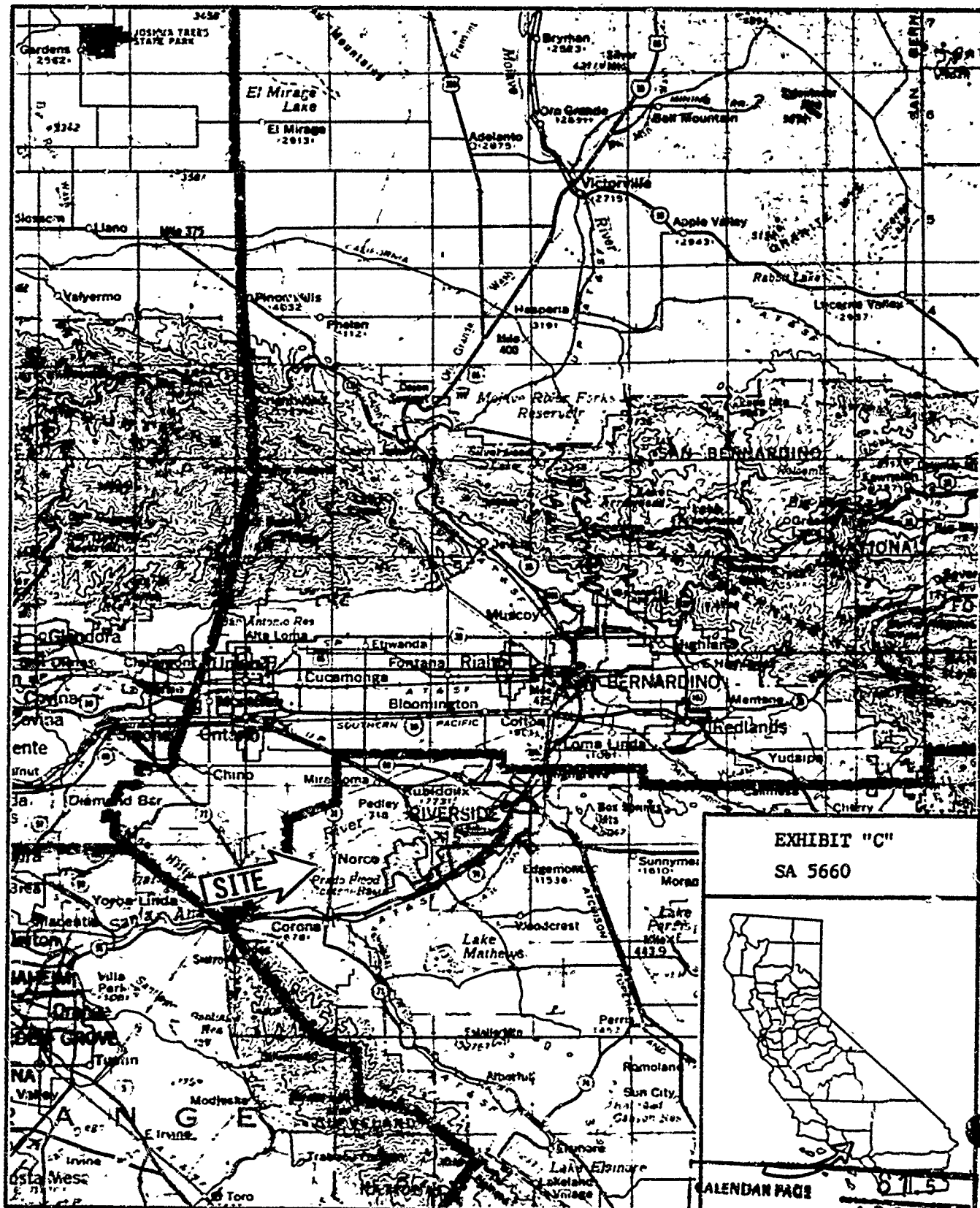


EXHIBIT "C"

SA 5660



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EXHIBIT "D"

STATE LANDS COMMISSION
TEMPORARY RIGHT OF ENTRY PERMIT

Pursuant to authorization of the State Lands Commission (SLC) by Minute Item No. 18 approved at its regular meeting on February 17, 1987, permission is hereby granted to the Department of Corrections (APPLICANT) and its contractors to enter upon the parcel of State school land described in Exhibit "A" (subject property) attached and by reference made a part hereof, for the purpose of constructing a sewer line, appurtenances and incidents thereto, upon the following terms and conditions.

1. It is understood and mutually agreed that this permission is not a waiver in any way of the right to just compensation for the fair market value of the Permanent Easement, as described in Exhibit "A" Parcel 1, within subject property or of any remedy authorized by law to secure payment therefor; or the rights of the SLC to retain access to and across the subject property.

2. This Temporary Right of Entry Permit shall be conditioned upon acceptance by APPLICANT and the deposit of \$150,000.00 into the School Land Bank Fund as payment for the Temporary Right of Entry Permit which shall be credited towards the full payment of fair market value upon the granting of the Permanent Easement.

3. It is the APPLICANT'S responsibility to advise the SLC of the date of physical possession. The APPLICANT will pay ten percent (10%) per annum interest on the fair market value of the Permanent Easement to accrue from the date physical possession is taken of the property to the date payment is made for the Permanent Easement.

4. This Temporary Right of Entry shall terminate on February 15, 1989, unless terminated or replaced by the Permanent Easement at an earlier date.

5. The parties will, without unnecessary delay, negotiate regarding the granting of the Permanent Easement to APPLICANT to construct, reconstruct, enlarge, remove, relay, operate and maintain a sewer line, together with any works or appurtenances necessary or incidental thereto, over, through, under, and across the land described in Exhibit "A" Parcel 1. The dollar amount of compensation and conditions to the Easement are subject to said negotiation.

6. The Temporary Right of Entry Permit and Permanent Easement shall be relocatable at the option and expense of SLC, or its successors in interest, at such time as it becomes advantageous for the proper development of any or all of the SLC property at Norco.

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7. The APPLICANT agrees to indemnify and hold harmless the SLC for all loss or liability suffered by SLC and at the option of SLC defend SLC in any action alleging liability, and to repair or pay for any damage caused by reason of the use authorized by this Temporary Right of Entry Permit or pursuant to the Permanent Easement. Applicant further agrees to waive any and all damage claims which may arise from the sewer relocation process, including, but not limited to, temporary loss of use of the sewer line and any other consequential damages.

ACCEPTED

DEPARTMENT OF CORRECTIONS

By _____

Title _____

Date _____

STATE LANDS COMMISSION

By _____

Title _____

Date _____

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EXHIBIT "E"

EIR SUMMARY

The proposed project involves the construction of a sewer interceptor line from California Rehabilitation Center (CRC) to the existing Santa Ana Regional Interceptor (SARI).

The proposed interceptor consists of approximately 16,600 feet of gravity-flow lines, approximately 2,830 feet of which will involve the use of State lands. The interceptor will vary from 12 inches to 18 inches in diameter depending on the slope conditions. The lines will be located entirely underground and mostly within public rights-of-way or on public property.

SUMMARY OF IMPACTS AND MITIGATION MEASURES

The environmental impacts and mitigation measures for the proposed project are summarized in Table S-1. Prior to mitigation, potentially significant adverse construction-related impacts of the proposed project are geology and soils, surface water, quantity and quality, traffic, and noise. There are no operational impacts which are considered potentially significant. Implementation of the proposed mitigation measures appears to be capable of reducing potentially significant construction impacts to less than significant levels.

(ADDED 02/11/87)

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EXHIBIT "F"

CEQA FINDINGS

The following potentially significant environmental effects have been identified in the final EIR which involve the part of the project that the Commission will be considering for approval.

1. Soils and Geology

IMPACT: Potential for soil erosion and compaction during excavation in fine-grained soils.

MITIGATION: Implement construction practices which minimize the potential for soil erosion and compaction (Specific practices are stated on page 18 of the Draft EIR).

FINDING: 1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.

2. Such changes or alterations are within the responsibility of the Santa Ana Watershed Project Authority (SAWPA) and not the SLC. Such changes have been adopted by SAWPA.

SAWPA has incorporated erosion control measures to be implemented in all contract documents, plans, and specification to ensure effective development and enforcement of the erosion control measures.

2. Noise

IMPACT: Increased noise in construction area; potential for slight interference with verbal communication at some nearby residences, greater noise impacts if blasting is required.

MITIGATION: Ensure that all construction equipment has adequate noise controls; limit construction to day-light hours in residential areas; and notify all sensitive receptors of impending construction that may be noisy and lasts for relatively prolonged periods.

(ADDED 02/11/87)

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- FINDING:** 1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.
2. Such changes or alterations are within the responsibility of the SAWPA and not the SLC. Such changes have been adopted by SAWPA.

SAWPA as the agency responsible for the construction of this project would be the appropriate agency to monitor, inspect, and project the required notices to assure the required level of effectiveness of the mitigation measure.

(ADDED 02/11/87)

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