

Emergency Relief Facility (ERF) Project

Information in Support of
Resolution of Necessity
August 16, 2023

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Emergency Release Inundation

without ERF Project



Perris Dam

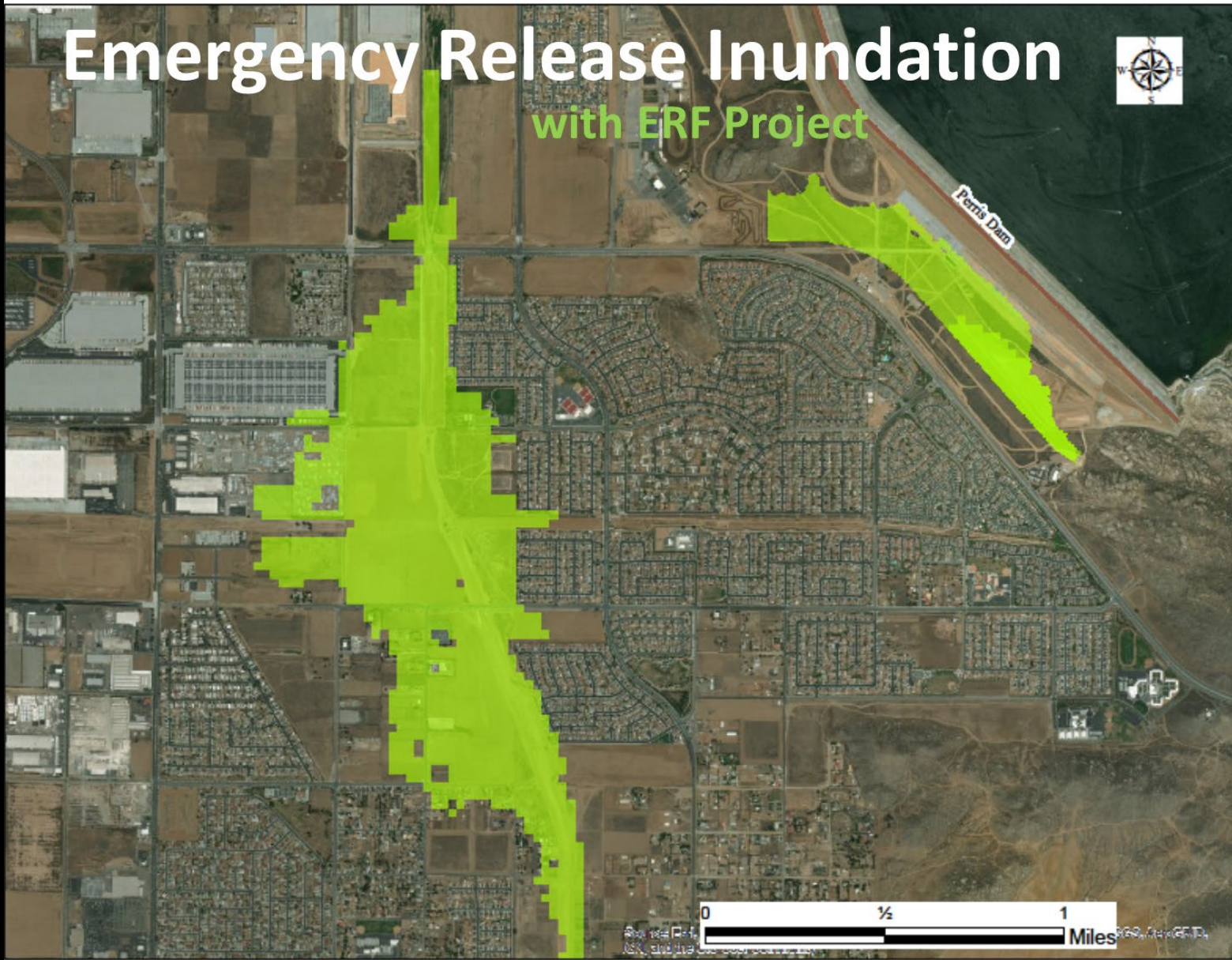
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Project Description

- Lake Perris is the terminus for the State Water Project and it was built without an emergency release facility.
- When Lake Perris Dam was constructed, there was limited development downstream.
- If an emergency release occurred today, the downstream community would be severely impacted.

Emergency Release Inundation

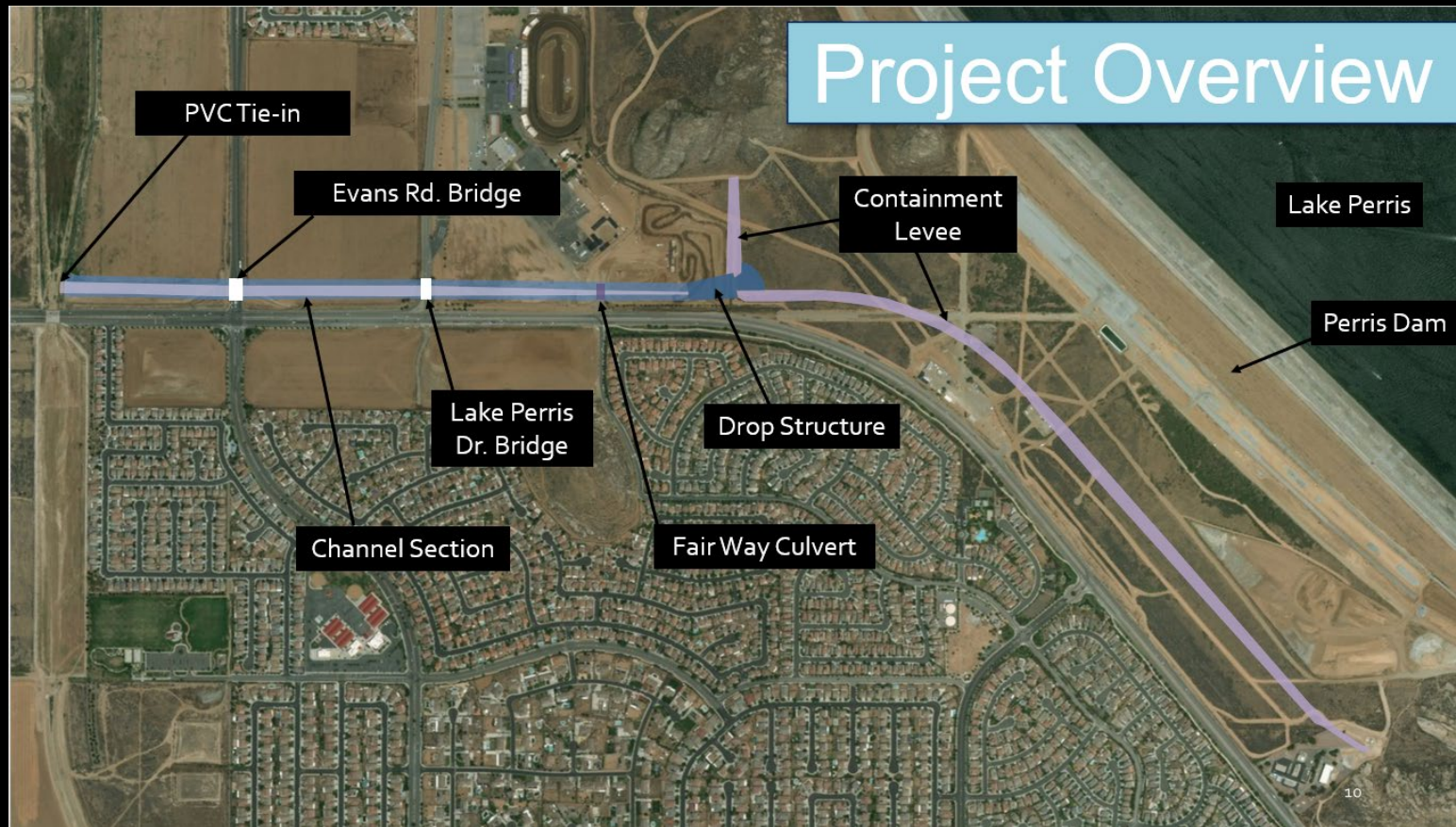
with ERF Project



Project Description

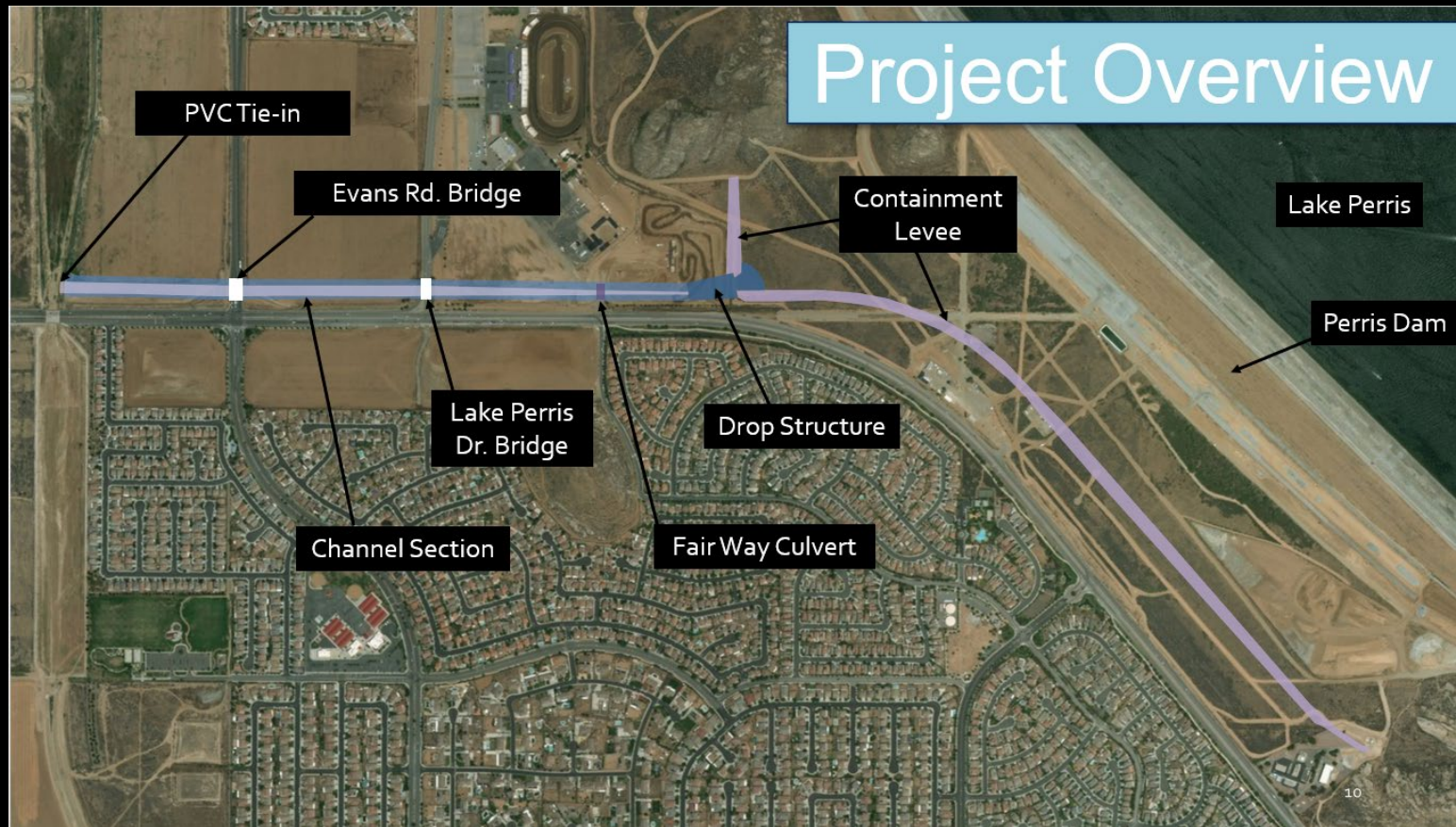
- After the Project is complete, water will be contained by a protective one-mile-long levee and will be directed into a one-mile-long channel which will terminate into an existing flood control channel.

Project Overview



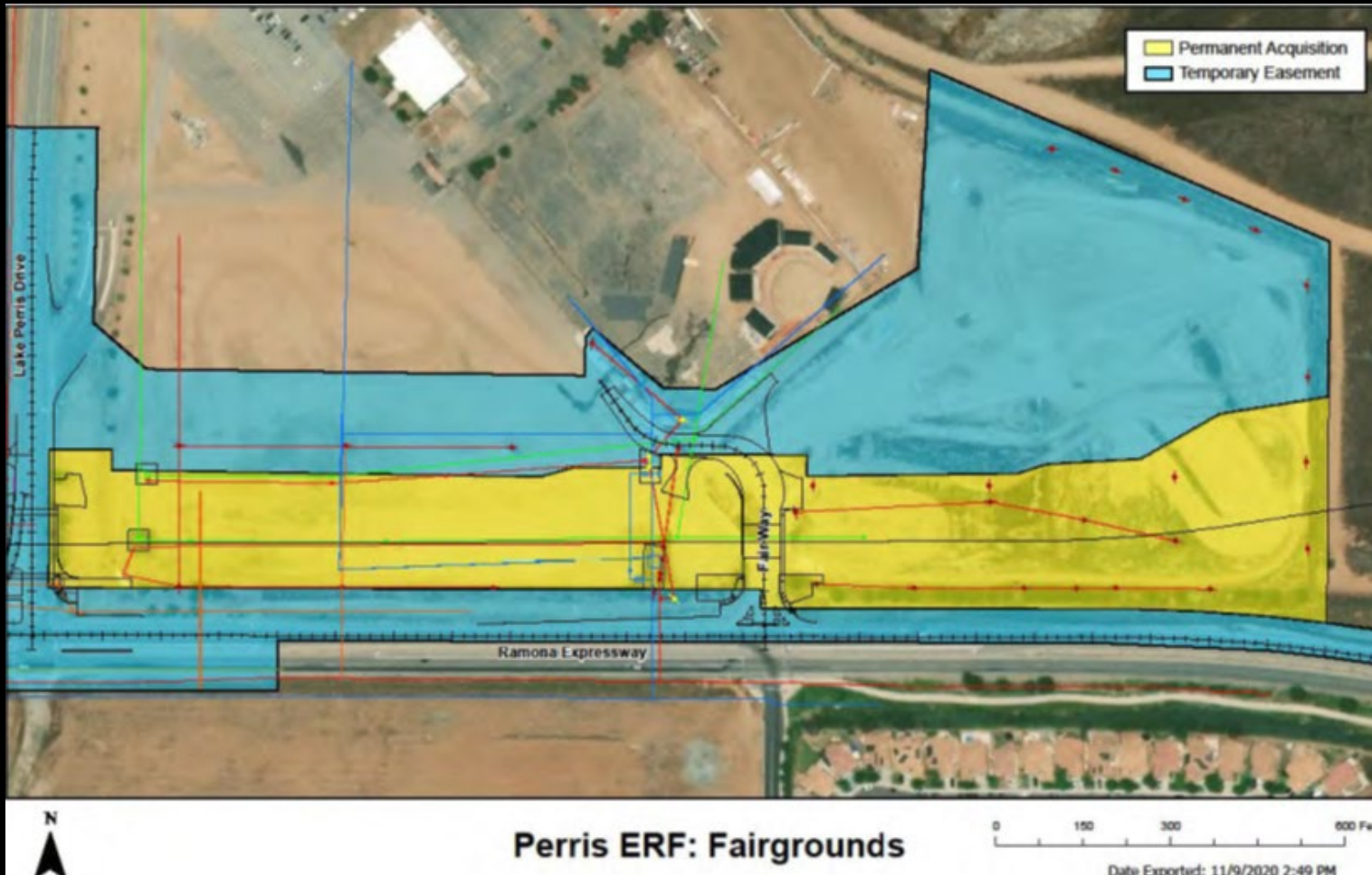
- The Project will build an emergency relief facility to safely route the flow of water during an emergency drawdown that requires the rapid lowering of Lake Perris.
- Flows would be directed by levees into a channel that would ultimately flow into an existing channel.

Project Overview



- The Project will provide protection from a 100-year flood and a major earthquake failure to more than 6,000 residents of the City of Perris.

Project Description



- DWR needs to acquire approximately 11.76 acres of Fairground property permanently in fee and 15.02 acres with a temporary easement for the Project.
- This includes approximately 8 acres of Fairground parking facilities, of which 5 acres will be permanently transferred to DWR.

Location and Description of Property

A description of the general location and extent of the property to be taken, with sufficient detail for reasonable identification. (CCP § 1245.230(b))

- DWR needs to acquire accessor parcel number 302-200-005 (DiMatteo property) in fee simple and then transfer it to the Fairgrounds as substitute parking facilities.
- The DiMatteo property is vacant land adjacent to the Fairground that has historically been used for Fairground parking.



Environmental Compliance

- May 2, 2018 – DWR certified the Project Environmental Impact Statement/Environmental Impact Report and filed a Notice of Determination (SCH# 2013091027) in compliance with the California Environmental Quality Act.
- December 2022 – DWR issued addendum number two incorporating the DiMatteo parcel into the Project.
- December 23, 2022 – DWR certified the addendum number two in compliance with the California Environmental Quality Act.

Public Use and Authorizing Statutes

A general statement of the public use for which the property is to be taken and a reference to the statute that authorizes the public entity to acquire the property by eminent domain. (CCP § 1245.230(a))

- The Project's public use is to safely route water in the event of an emergency release.
- DWR has authority under Water Code §§250, 253, 258, 11575 and 11580 to acquire property rights required and necessary for the operation of the State Water Project.
- California Code of Civil Procedure §§1245.210 and 1245.220 requires DWR to obtain a Resolution of Necessity from the Commission, as the appropriate governing body.

Resolution of Necessity Findings

The governing body of the public entity has found and determined each of the following findings (CCP § 1245.230(c))

- (1) The public interest and necessity require the proposed project.
- (2) The proposed project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury.
- (3) The property described in the resolution is necessary for the proposed project.
- (4) That either the offer required by Section 7267.2 of the Government Code has been made to the owner or owners of record, or the offer has not been made because the owner cannot be located with reasonable diligence.

Project Interest and Necessity

The public interest and necessity require the proposed project.
(CCP § 1245.230(c)(1))

- The public has a strong interest in DWR being able to safely release water from Lake Perris in the event of an emergency.
- This Project is needed to satisfy the strong public interest.

Project Design

Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury. (CCP § 1245.230(c)(2))

- The City of Perris has developed substantially since the Lake Perris Dam was constructed.
- Due to this development, the Project footprint needs to be along Ramona Expressway to avoid construction in residential developments.



Property Necessary

The property described in the resolution is necessary for the proposed project. (CCP § 1245.230(c)(3))

- DWR needs to acquire substitute Fairground parking facilities to acquire Fairground property in order to construct the Project.
- The DiMatteo property will provide the necessary Fairground parking for the Project to be constructed.

Govt. Code § 7267.2
Offer (CCP § 1245.230(c)(4))

That either the offer required by Section 7267.2 of the Government Code has been made to the owner or owners of record, or the offer has not been made because the owner cannot be located with reasonable diligence.

- The offer required by Section 7267.2 of the Government Code was made to the DiMatteo property owner on April 11, 2023

Owner's Concern

- The attorney representing the owner of the DiMatteo property has expressed concern about the valuation of the property.
- Settlement discussions are ongoing.

DiMatteo Property

- Owner of Record: DiMatteo Properties, LP
- APN: 302-200-005
- DWR Parcel Number: 3-6008
- Approximate Acreage: 5

- First Written Offer (Govt. Code § 7267.2): April 15, 2023
- Notice of RON Hearing (CCP § 1245.235): July 21, 2023

Status of Other Parcels Required for Project

- DWR has already acquired two parcels in fee and nine easements from two private property owners for the Project.
- The DiMatteo property is the only remaining privately owned property that needs to be acquired for the Project.
- DWR and the Fairgrounds are working on transferring the Fairgrounds' property to DWR.



Thank You

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