



- Board of Directors
Finance and Insurance Committee

1/13/2015 Board Meeting

7-1

Subject

Adopt final resolution for annexation of the 104th Fringe Area Annexation to Eastern Municipal Water District and Metropolitan

Executive Summary

This action grants final approval for an annexation request by Eastern Municipal Water District (Eastern) and authorizes imposition of Metropolitan's water standby charge and ad valorem tax. This annexation request consists of approximately 68.09 acres of which 4.47 acres are public roads, leaving a net area of 63.62 acres as the basis for the annexation charge ([Attachment 1](#) – Legal Description and Map). The new water demand from Metropolitan is 15.2 acre-feet per year (AFY). Eastern is in compliance with and meets the Best Management Practices of the California Urban Water Conservation Council ([Attachment 2](#) – Water Use Efficiency Statement of Compliance). The charge for this annexation, if completed in 2015, is \$327,044.44, which includes the \$5,000 processing fee.

Details

On October 15, 2014, Eastern Municipal Water District's board of directors adopted Resolution 2014-140, requesting formal terms and conditions for annexation and imposition of water standby charge for the proposed 104th Fringe Area Annexation. Eastern requests final terms and conditions for this annexation concurrently to Eastern and Metropolitan. This annexation involves an area located near Wildomar, California, previously served by the County Water Company of Riverside County (CWC), a private water company. Because of water quality problems, the Riverside County Department of Public Health and the Riverside County Health Department took corrective action against CWC, resulting in the need for a temporary connection to Eastern and Elsinore Valley Municipal Water District (Elsinore Valley) to provide safe, potable water for the local residents. Eastern and Elsinore Valley agreed to annex the former CWC service area so long as they would not be responsible for any liability arising out of CWC's prior operations. In legislation supported by Metropolitan and enacted July 21, 2014, Eastern and Elsinore Valley were successful in getting an exemption for wholesale and retail water agencies, including Metropolitan and Western Municipal Water District, from liability arising out of CWC's prior operation of the system ([Attachment 5](#) – Senate Bill No. 1130, Roth. Drinking Water: County Water Company of Riverside water system: liability). Passage of Senate Bill No. 1130 allowed this annexation to go forward, which will ensure the local residents a reliable and safe drinking water supply.

The area within the proposed annexation comprises 18 parcels totaling 68.09 acres which are located between Western MWD and Eastern MWD service area. The entire CWC service area is bounded by Bundy Canyon Road on the south, Pine Avenue on the west, Garabani Road on the north and Murrieta Road on the east. The charge for this annexation is \$327,044.44, which includes the \$5,000 processing fee collected at the time of the initial request; the balance is payable prior to completion. The annexation charge is calculated based on the 2015 per-acre fee of \$5,062. If the annexation is completed later, the fee would be based on the then-current annexation rate pursuant to Section 3300 of Metropolitan's Administrative Code.

Pursuant to Section 3107 of Metropolitan's Administrative Code approved on October 12, 2004, Eastern has submitted an acceptable Water Use Efficiency Statement of Compliance for this project ([Attachment 2](#)). The

projected water demand from Metropolitan is 15.2 acre-feet per year for approximately 17 single-family homes, in a rural community of 65 acres. Completion of this annexation would be subject to such terms and conditions as may be fixed by Metropolitan's Board in granting final consent to such annexation, including the Local Agency Formation Commission conditioning approval of the proposed annexation upon a requirement that all previously established and collected taxes, benefit assessments, or property-related fees or charges be levied or fixed and collected on parcels being annexed to Metropolitan. This action adopts a resolution consenting to Eastern's request for annexation with water standby charge as set forth in [Attachment 3](#) - Resolution Fixing Terms and Conditions of Annexation. Upon completion of the annexation, the lands within the 104th Fringe Area Annexation will be subject to Metropolitan's ad valorem tax in the current amount of 0.0035 percent of the assessed value of each parcel and Metropolitan's water standby charge in the current amount of \$6.94 per acre, or per parcel of less than one acre.

Approval of Metropolitan's standby charge imposed elsewhere within Eastern's territory is a condition to complete this annexation.

Policy

Territory may be annexed to Metropolitan upon terms and conditions fixed by the Board and in accordance with Chapter 1, Article 1, Section 350 through Section 356 of Metropolitan's Act and Division III, Section 3100 et seq. of its Administrative Code.

California Environmental Quality Act (CEQA)

CEQA determination for Option #1:

Pursuant to the provisions of CEQA and the State CEQA Guidelines, the Eastern Municipal Water District, acting as Lead Agency, prepared two Notice of Exemptions (NOEs) for the 104th Fringe Area project. Eastern found the project to be exempt under Class 1, Section 15301 and Class 3, Section 15303 of the State CEQA Guidelines on August 27, 2013; and Class 19, Section 15319 of the State CEQA Guidelines on September 3, 2014, for the County Water Company of Riverside Potable Water System Improvement Project and the NOEs were filed on the project at the time. With the current board action, there are no substantial changes proposed to the original project. The previous environmental documentation in conjunction with this annexation fully complies with CEQA and the State CEQA Guidelines. Accordingly, no further CEQA documentation is necessary for the Board to act with regards to the annexation action. The environmental documentation is in [Attachment 4](#).

The CEQA determination is: Determine that the proposed actions have been previously addressed in the 2013 and 2014 NOEs (Class 1, Section 15301; Class 3, Section 15303; and Class 19, Section 15319 of the State CEQA Guidelines) and that no further environmental analysis or documentation is required.

CEQA determination for Option #2:

None required

Board Options

Option #1

- Review and consider the NOEs prepared by Eastern Municipal Water District as a Lead Agency, and
- Adopt resolution granting approval for the 104th Fringe Area Annexation concurrently to Eastern and Metropolitan and establish Metropolitan's terms and conditions for the annexation ([Attachment 3](#)), conditioned upon approval by Riverside County's Local Agency Formation Commission, and upon receipt of annexation fee of \$327,044.44; and
 - Approve Eastern's Statement of Compliance with the current Water Use Efficiency Guidelines ([Attachment 2](#)).

Fiscal Impact: Receipt of annexation fees of \$327,044.44 for the annexation area and water sales revenue from newly annexed territory

Business Analysis: This annexation helps to meet Metropolitan's member agency request and provides essential benefits to the public.

Option #2

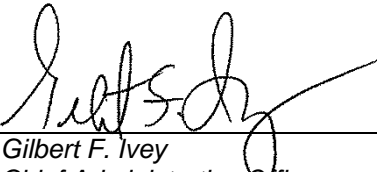
Decline the request for the proposed 104th Fringe Area Annexation.

Fiscal Impact: Unrealized annexation fee and water sales revenue from non-annexed areas

Business Analysis: The subject area will not receive the direct benefits of water supplied through Metropolitan and Eastern.

Staff Recommendation

Option #1



Gilbert F. Ivey
Chief Administrative Officer

12/16/2014

Date



Jeffrey Kightlinger
General Manager

12/23/2014

Date

Attachment 1 – Legal Description and Map

Attachment 2 – Water Use Efficiency Statement of Compliance

Attachment 3 – Resolution Fixing Terms and Conditions of Annexation

Attachment 4 – 104th Fringe Area Environmental Documentation

Attachment 5 – Senate Bill No. 1130, Roth. Drinking Water: County Water Company of Riverside water system: liability

EXHIBIT "A"**EASTERN MUNICIPAL WATER DISTRICT
ANNEXATION NO. 104****LEGAL DESCRIPTION**

PORTIONS OF SECTION 17, TOWNSHIP 6 SOUTH, RANGE 3 WEST, SAN BERNARDINO MERIDIAN, LYING IN THE CITY OF MENIFEE, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 1

PARCEL 2 TOGETHER WITH LOT "F" OF PARCEL MAP NO. 13925 AS SHOWN BY MAP ON FILE IN BOOK 76 OF PARCEL MAPS AT PAGE 12 THEREOF, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, AND PARCEL 1 TOGETHER WITH LOT "B" AND LOT "C" OF PARCEL MAP NO. 16785 AS SHOWN BY MAP ON FILE IN BOOK 102 OF PARCEL MAPS AT PAGE 99 THEREOF, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT "F", SAID CORNER BEING NORTH 89°33'21" EAST, A DISTANCE OF 661.46 FEET FROM THE WEST QUARTER CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 17, SAID CORNER ALSO BEING ON THE CENTERLINE OF BARNES LANE (SHOWN AS OAKTREE LANE AS SHOWN ON SAID PARCEL MAP 13925);

1. **THENCE** ALONG THE NORTH LINE OF SAID LOT "F" AND SAID CENTERLINE, NORTH 89°33'21" EAST, A DISTANCE OF 661.46 FEET TO THE NORTHEAST CORNER THEREOF, SAID CORNER ALSO BEING THE NORTHWEST CORNER OF SAID LOT "C";
2. **THENCE** ALONG THE NORTH LINE OF SAID LOT "C" AND THE NORTH LINE OF SAID LOT "B" AND SAID CENTERLINE, NORTH 89°33'33" EAST, A DISTANCE OF 330.73 FEET TO THE NORTHEAST CORNER OF SAID LOT "B";
3. **THENCE** ALONG THE EAST LINE OF SAID LOT "B" AND THE EAST LINE OF SAID PARCEL 1, SOUTH 00°27'26" WEST, A DISTANCE OF 333.01 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL 1;
4. **THENCE** ALONG THE SOUTH LINE OF SAID PARCEL 1 AND THE SOUTH LINE OF SAID LOT "C", SOUTH 89°38'35" WEST, A DISTANCE OF 330.60 FEET TO THE SOUTHWEST CORNER OF SAID LOT "C", SAID CORNER BEING ON THE EAST LINE OF SAID PARCEL 2;
5. **THENCE** ALONG THE EAST LINE OF SAID PARCEL 2, SOUTH 00°25'56" WEST, A DISTANCE OF 332.51 FEET TO THE SOUTHEAST CORNER THEREOF;

**EXHIBIT A: EASTERN MUNICIPAL WATER DISTRICT
ANNEXATION NO. 104**

6. **THENCE ALONG THE SOUTH LINE OF SAID PARCEL 2, SOUTH 89°44'09" WEST, A DISTANCE OF 660.94 FEET TO THE SOUTHWEST CORNER THEREOF;**
7. **THENCE ALONG THE WEST LINE OF SAID PARCEL 2 AND THE WEST LINE OF SAID LOT "F", NORTH 00°23'23" EAST, A DISTANCE OF 663.09 FEET TO THE POINT OF BEGINNING.**

GROSS AREA = 12.61 ACRES
ROAD AREA = 0.90 ACRES
NET AREA = 11.71 ACRES

SEE EXHIBIT "B", SHEET 2, ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

PARCEL 2

PARCEL 3 AND PARCEL 4 TOGETHER WITH LOT "D", LOT "E", AND LOT "F" OF PARCEL MAP NO. 18808 AS SHOWN BY MAP ON FILE IN BOOK 123 OF PARCEL MAPS AT PAGE 9 THEREOF, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT "D", SAID CORNER BEING ON THE CENTERLINE OF BYERS ROAD AND LYING SOUTH 00°31'15" WEST, A DISTANCE OF 1,673.13 FEET FROM THE NORTH QUARTER CORNER OF SAID SECTION 17;

1. **THENCE ALONG THE CENTERLINE OF SAID BYERS ROAD AND THE EAST LINE OF SAID LOT "D" AND THE EAST LINE OF SAID LOT "E", SOUTH 00°31'15" WEST, A DISTANCE OF 334.45 FEET TO THE SOUTHEAST CORNER OF SAID LOT "E", SAID CORNER BEING THE INTERSECTION OF THE CENTERLINE OF SAID BYERS ROAD WITH THE CENTERLINE OF ADJER STREET;**
2. **THENCE ALONG THE CENTERLINE OF SAID ADJER STREET, THE SOUTH LINE OF SAID LOT "E" AND THE SOUTH LINE OF SAID LOT "F", SOUTH 89°43'34" WEST, A DISTANCE OF 660.94 FEET TO THE SOUTHWEST CORNER OF SAID LOT "F";**
3. **THENCE ALONG THE WEST LINE OF SAID LOT "F" AND THE WEST LINE OF SAID PARCEL 3, NORTH 00°28'42" EAST, A DISTANCE OF 333.48 FEET TO THE NORTHWEST CORNER OF SAID PARCEL 3;**
4. **THENCE ALONG THE NORTH LINE OF SAID PARCEL 3, THE NORTH LINE OF SAID PARCEL 4, AND THE NORTH LINE OF SAID LOT "D", NORTH 89°38'31" EAST, A DISTANCE OF 661.19 FEET TO THE POINT OF BEGINNING.**

**EXHIBIT A: EASTERN MUNICIPAL WATER DISTRICT
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GROSS AREA = 5.07 ACRES
ROAD AREA = 0.67 ACRES
NET AREA = 4.40 ACRES

SEE EXHIBIT "B", SHEET 3, ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

PARCEL 3

PARCEL 3 TOGETHER WITH LOT "B" AND LOT "C" OF PARCEL MAP NO. 16756 AS SHOWN BY MAP ON FILE IN BOOK 108 OF PARCEL MAPS AT PAGE 77 THEREOF, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT "B", SAID CORNER BEING THE INTERSECTION OF THE CENTERLINE OF CLEVELAND AVENUE WITH THE CENTERLINE OF WICKERD ROAD, SAID CORNER BEING ON THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 17, TOWNSHIP 6 SOUTH, RANGE 3 WEST, SAN BERNARDINO MERIDIAN, LYING SOUTH 89°53'36" WEST, A DISTANCE OF 660.42 FEET FROM THE CENTER OF SAID SECTION 17;

1. **THENCE** ALONG THE SOUTH LINE OF SAID LOT "B", THE SOUTH LINE OF SAID NORTHWEST QUARTER, AND THE CENTERLINE OF SAID WICKERD ROAD, SOUTH 89°53'36" WEST, A DISTANCE OF 330.22 FEET TO THE SOUTHWEST CORNER OF SAID LOT "B";
2. **THENCE** ALONG THE WEST LINE OF SAID LOT "B" AND THE WEST LINE OF SAID PARCEL 3, NORTH 00°27'28" EAST, A DISTANCE OF 332.98 FEET TO THE NORTHWEST CORNER OF SAID PARCEL 3;
3. **THENCE** ALONG THE NORTH LINE OF SAID PARCEL 3 AND THE NORTH LINE OF SAID LOT "C", NORTH 89°48'25" EAST, A DISTANCE OF 330.34 FEET TO THE NORTHEAST CORNER OF SAID LOT "C", SAID CORNER BEING ON THE CENTERLINE OF SAID CLEVELAND AVENUE;
4. **THENCE** ALONG THE EAST LINE OF SAID LOT "C", THE EAST LINE OF SAID LOT "B", AND THE CENTERLINE OF SAID CLEVELAND AVENUE, SOUTH 00°28'42" WEST, A DISTANCE OF 333.48 FEET TO THE POINT OF BEGINNING.

GROSS AREA = 2.53 ACRES
ROAD AREA = 0.44 ACRES
NET AREA = 2.09 ACRES

**EXHIBIT A: EASTERN MUNICIPAL WATER DISTRICT
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SEE EXHIBIT "B", SHEET 4, ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

PARCEL 4

PARCEL 4 TOGETHER WITH LOT "D" AND LOT "E" OF PARCEL MAP NO. 16616 AS SHOWN BY MAP ON FILE IN BOOK 99 OF PARCEL MAPS AT PAGE 27 THEREOF, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, TOGETHER WITH PARCEL 1 AND PARCEL 3 TOGETHER WITH LOT "A", LOT "B", AND LOT "C" OF PARCEL MAP NO. 12346 AS SHOWN BY MAP ON FILE IN BOOK 65 OF PARCEL MAPS AT PAGE 91 THEREOF, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT "D" OF SAID PARCEL MAP NO. 16616, SAID CORNER BEING THE INTERSECTION OF THE CENTERLINE OF BYERS ROAD WITH THE CENTERLINE OF WICKERD ROAD, SAID CORNER ALSO BEING THE NORTHWEST CORNER OF LOT "B" OF SAID PARCEL MAP NO. 12346 AND THE CENTER OF SAID SECTION 17, TOWNSHIP 6 SOUTH, RANGE 3 WEST, SAN BERNARDINO MERIDIAN;

1. **THENCE** ALONG THE WEST LINE OF SAID LOT "D" AND THE CENTERLINE OF SAID BYERS ROAD, NORTH 00°30'58" EAST, A DISTANCE OF 334.50 FEET TO THE NORTHWEST CORNER OF SAID LOT "D";
2. **THENCE** ALONG THE NORTH LINE OF SAID LOT "D" AND THE NORTH LINE OF SAID PARCEL 4, NORTH 89°59'38" EAST, A DISTANCE OF 328.71 FEET TO THE NORTHEAST CORNER OF SAID PARCEL 4;
3. **THENCE** ALONG THE EAST LINE OF SAID PARCEL 4 AND THE EAST LINE OF SAID LOT "E", SOUTH 00°30'31" WEST, A DISTANCE OF 333.94 FEET TO THE SOUTHEAST CORNER OF SAID LOT "E", SAID CORNER BEING ON THE CENTERLINE OF SAID WICKERD ROAD, SAID CORNER ALSO BEING ON THE NORTH LINE OF SAID LOT "C";
4. **THENCE** ALONG THE CENTERLINE OF SAID WICKERD ROAD AND THE NORTH LINE OF SAID LOT "C", NORTH 89°58'38" EAST (NORTH 89°53'50" EAST PER PARCEL MAP NO. 16616), A DISTANCE OF 298.75 FEET TO THE NORTHEAST CORNER OF SAID LOT "C";
5. **THENCE** ALONG THE EAST LINE OF SAID LOT "C" AND THE EAST LINE OF SAID PARCEL 1, SOUTH 00°29'23" WEST, A DISTANCE OF 371.83 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL 1;
6. **THENCE** ALONG THE SOUTH LINE OF SAID PARCEL 1, SOUTH 89°53'16" WEST, A DISTANCE OF 299.93 FEET TO THE NORTHEAST CORNER OF SAID PARCEL 3;

**EXHIBIT A: EASTERN MUNICIPAL WATER DISTRICT
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7. **THENCE ALONG THE EAST LINE OF SAID PARCEL 3, SOUTH 00°30'16" WEST, A DISTANCE OF 290.00 FEET TO THE SOUTHEAST CORNER THEREOF;**
8. **THENCE ALONG THE SOUTH LINE OF SAID PARCEL 3 AND THE SOUTH LINE OF SAID LOT "A", SOUTH 89°53'16" WEST, A DISTANCE OF 327.68 FEET TO THE SOUTHWEST CORNER OF SAID LOT "A", SAID CORNER BEING ON THE CENTERLINE OF SAID BYERS ROAD;**
9. **THENCE ALONG THE WEST LINE OF SAID LOT "A", THE WEST LINE OF SAID LOT "B", AND THE CENTERLINE OF SAID BYERS ROAD, NORTH 00°30'16" EAST, A DISTANCE OF 661.89 FEET TO THE POINT OF BEGINNING.**

**GROSS AREA = 10.06 ACRES
ROAD AREA = 1.31 ACRES
NET AREA = 8.75 ACRES**

SEE EXHIBIT "B", SHEET 5, ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

PARCEL 5

PARCEL 1, PARCEL 2, PARCEL 3, AND PARCEL 4 TOGETHER WITH LOT "A", LOT "B", LOT "C", LOT "D", AND LOT "E" OF PARCEL MAP NO. 7999 AS SHOWN BY MAP ON FILE IN BOOK 40 OF PARCEL MAPS AT PAGE 68 THEREOF, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, TOGETHER WITH PARCEL 3 TOGETHER WITH LOT "D" OF PARCEL MAP NO. 13515 AS SHOWN BY MAP ON FILE IN BOOK 123 OF PARCEL MAPS AT PAGE 41 THEREOF, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, TOGETHER WITH PARCEL 1 OF RECORD OF SURVEY ON FILE IN BOOK 56 OF RECORDS OF SURVEYS AT PAGE 81 THEREOF, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, TOGETHER WITH PORTIONS OF THE SOUTHWEST AND SOUTHEAST QUARTERS OF SAID SECTION 17, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT "E" OF SAID PARCEL MAP NO. 7999, SAID CORNER BEING ON THE CENTERLINE OF WALDON ROAD, SAID CORNER LYING NORTH 89°53'16" EAST, A DISTANCE OF 1,319.04 FEET FROM THE SOUTHWEST CORNER OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 17;

1. **THENCE ALONG THE WEST LINE OF SAID LOT "E" AND THE WEST LINE OF PARCEL 1 OF SAID PARCEL MAP NO. 7999, NORTH 00°26'16" EAST, A DISTANCE OF 661.75 FEET TO THE NORTHWEST CORNER OF SAID PARCEL 1;**

**EXHIBIT A: EASTERN MUNICIPAL WATER DISTRICT
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2. **THENCE ALONG THE NORTH LINE OF PARCEL 1, PARCEL 2, PARCEL 3, PARCEL 4, AND LOT "A" OF SAID PARCEL MAP NO. 7999, NORTH 89°53'13" EAST, A DISTANCE OF 1,319.82 FEET TO THE NORTHEAST CORNER OF SAID LOT "A", SAID CORNER BEING ON THE CENTERLINE OF BYERS ROAD;**
3. **THENCE ALONG THE EAST LINE OF SAID LOT "A", THE EAST LINE OF SAID LOT "B", AND THE CENTERLINE OF SAID BYERS ROAD, SOUTH 00°30'19" WEST, A DISTANCE OF 661.77 FEET TO THE SOUTHEAST CORNER OF SAID LOT "B", SAID CORNER BEING THE INTERSECTION OF THE CENTERLINE OF SAID BYERS ROAD WITH THE CENTERLINE OF SAID WALDON ROAD;**
4. **THENCE ALONG THE CENTERLINE OF SAID WALDON ROAD, NORTH 89°53'13" EAST, A DISTANCE OF 328.92 FEET TO THE SOUTHWEST CORNER OF LOT "D" OF SAID PARCEL MAP NO. 13515;**
5. **THENCE ALONG THE WEST LINE OF SAID LOT "D" AND THE WEST LINE OF PARCEL 3 OF SAID PARCEL MAP NO. 13515, NORTH 00°29'51" EAST, A DISTANCE OF 661.78 FEET TO THE NORTHWEST CORNER OF SAID PARCEL 3;**
6. **THENCE ALONG THE NORTH LINE OF SAID PARCEL 3, NORTH 89°53'16" EAST, A DISTANCE OF 328.84 FEET TO THE NORTHEAST CORNER THEREOF;**
7. **THENCE ALONG THE EAST LINE OF SAID PARCEL 3 AND THE EAST LINE OF SAID LOT "D", SOUTH 00°29'23" WEST, A DISTANCE OF 661.75 FEET TO THE SOUTHEAST CORNER OF SAID LOT "D", SAID CORNER BEING ON THE CENTERLINE OF SAID WALDON ROAD;**
8. **THENCE ALONG THE SOUTH LINE OF SAID LOT "D" AND THE CENTERLINE OF SAID WALDON ROAD, SOUTH 89°53'13" WEST, A DISTANCE OF 328.93 FEET TO THE NORTHEAST CORNER OF THE WEST HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 17;**
9. **THENCE ALONG THE EAST LINE OF SAID WEST HALF, SOUTH 00°33'28" WEST, A DISTANCE OF 660.90 FEET TO THE SOUTHEAST CORNER THEREOF;**
10. **THENCE ALONG THE SOUTH LINE OF SAID WEST HALF, SOUTH 89°51'07" WEST, A DISTANCE OF 329.51 FEET TO THE SOUTHWEST CORNER THEREOF;**
11. **THENCE ALONG THE WEST LINE OF SAID WEST HALF, NORTH 00°35'38" EAST, A DISTANCE OF 147.05 FEET TO THE NORTHEAST CORNER OF PARCEL 3 OF SAID RECORD OF SURVEY ON FILE IN BOOK 56 OF RECORDS OF SURVEYS AT PAGE 81 THEREOF, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA;**

**EXHIBIT A: EASTERN MUNICIPAL WATER DISTRICT
ANNEXATION NO. 104**

12. **THENCE ALONG THE NORTH LINE OF SAID PARCEL 3 AND THE NORTH LINE OF PARCEL 2 OF SAID RECORD OF SURVEY, SOUTH 89°53'20" WEST, A DISTANCE OF 659.48 FEET TO THE NORTHWEST CORNER OF SAID PARCEL 2, SAID CORNER BEING THE SOUTHWEST CORNER OF PARCEL 1 OF SAID RECORD OF SURVEY;**
13. **THENCE ALONG THE WEST LINE OF SAID PARCEL 1, NORTH 00°29'38" EAST, A DISTANCE OF 513.99 FEET TO THE NORTHWEST CORNER THEREOF, SAID CORNER BEING ON THE CENTERLINE OF SAID WALDON ROAD;**
14. **THENCE ALONG THE CENTERLINE OF SAID WALDON ROAD, THE SOUTHERLY LINE OF LOT "D" AND LOT "E" OF SAID PARCEL MAP NO. 7999, SOUTH 89°53'16" WEST, A DISTANCE OF 659.52 FEET TO THE SOUTHWEST CORNER OF SAID LOT "E" AND THE POINT OF BEGINNING.**

GROSS AREA = 37.82 ACRES

ROAD AREA = 1.15 ACRES

NET AREA = 36.67 ACRES

SEE EXHIBIT "B", SHEETS 6 AND 7, ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

THIS REAL PROPERTY DESCRIPTION HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYORS' ACT.

Frederick A. Elliott

FREDERICK A. ELLIOTT, PLS #4741

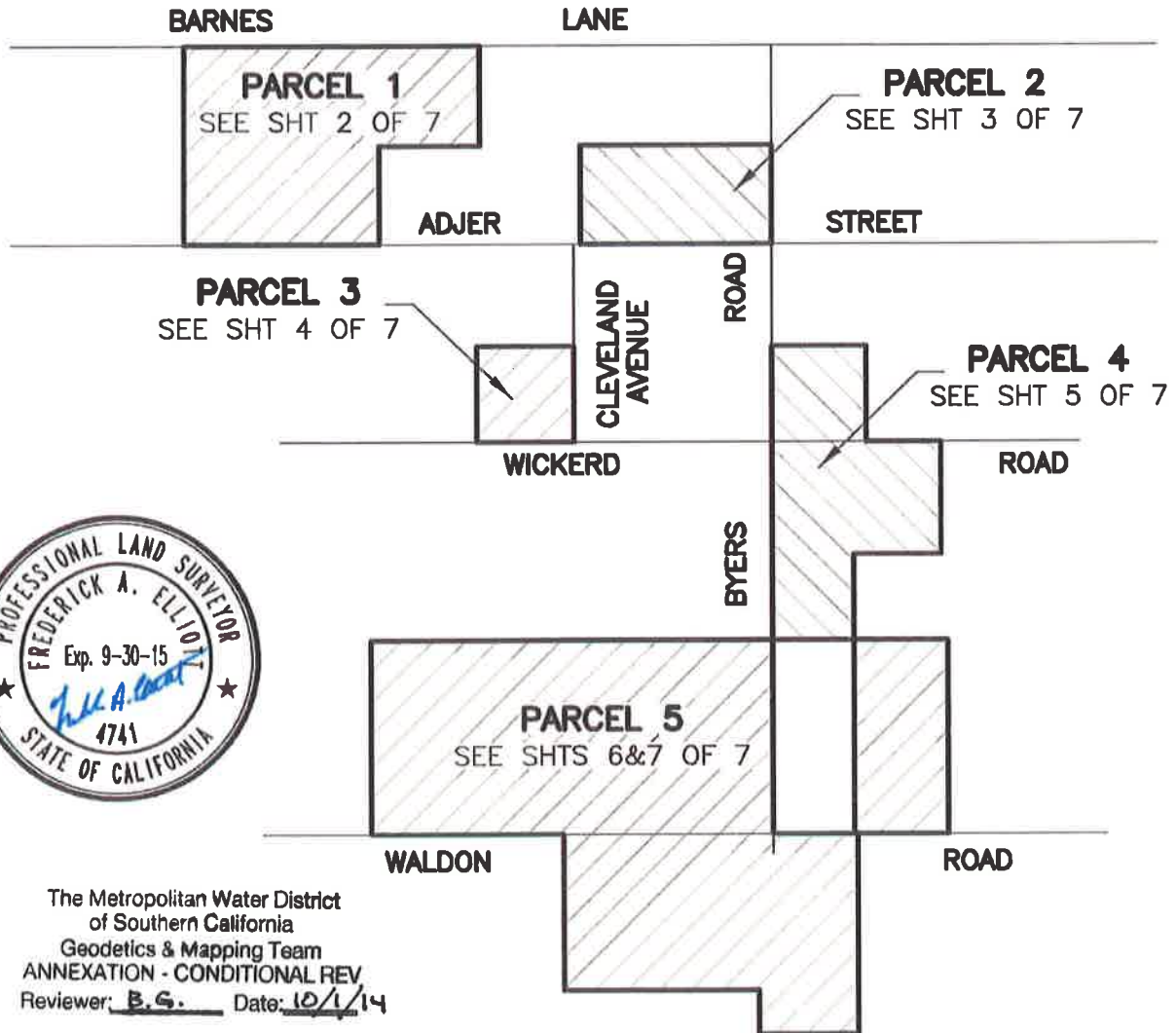
DATE: Sept. 9, 2014



The Metropolitan Water District
of Southern California
Geodetics & Mapping Team
ANNEXATION - CONDITIONAL REV
Reviewer: B.G. Date: 10/1/14



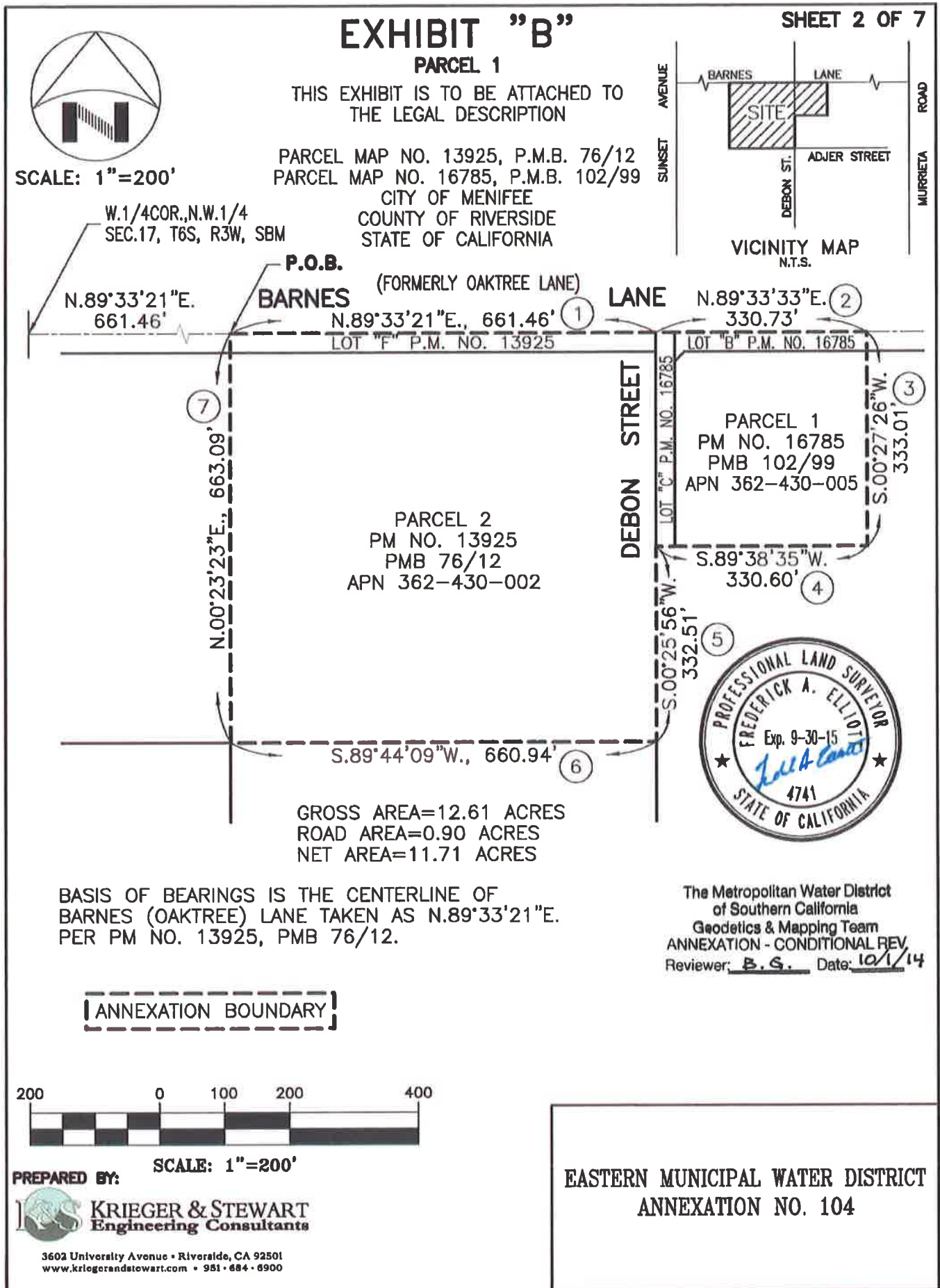
NOT TO SCALE

EXHIBIT "B"**INDEX MAP**THIS EXHIBIT IS TO BE ATTACHED TO
THE LEGAL DESCRIPTIONCITY OF MENIFEE
COUNTY OF RIVERSIDE
STATE OF CALIFORNIA**SHEET 1 OF 7**

The Metropolitan Water District
of Southern California
Geodetics & Mapping Team
ANNEXATION - CONDITIONAL REV
Reviewer: B.G. Date: 10/1/14

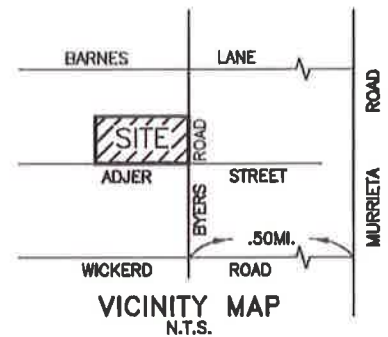
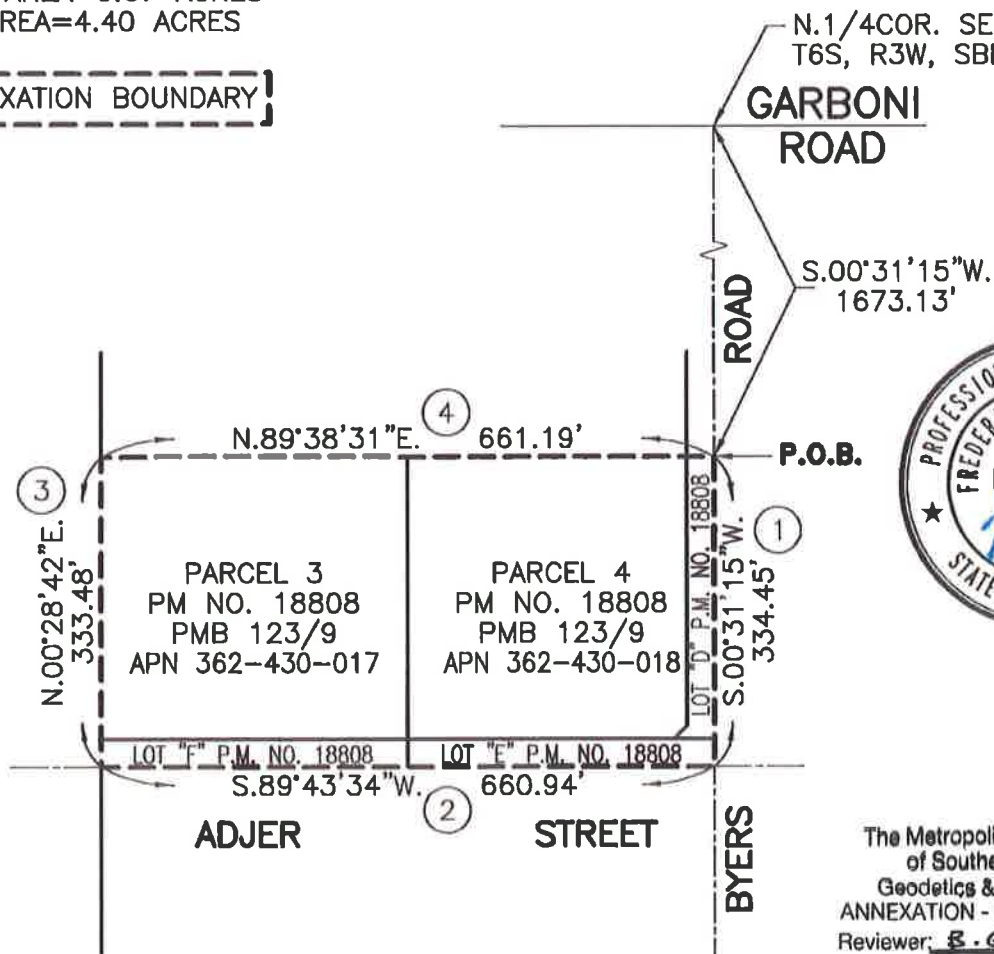
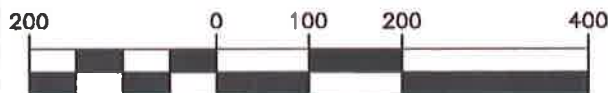
PREPARED BY:

**KRIEGER & STEWART**
Engineering Consultants3602 University Avenue • Riverside, CA 92501
www.kriegerandstewart.com • 951 • 684 • 6900**EASTERN MUNICIPAL WATER DISTRICT
ANNEXATION NO. 104**





SCALE: 1"=200'

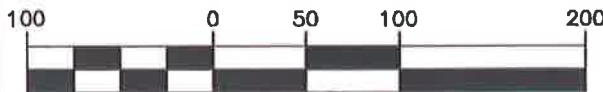
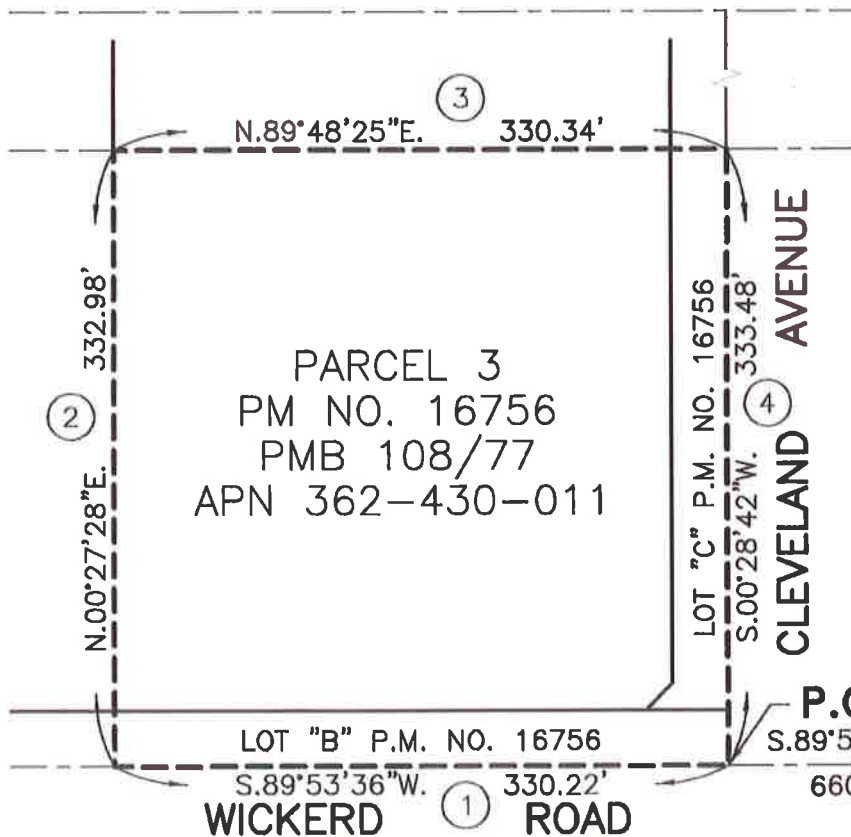
EXHIBIT "B"**PARCEL 2**THIS EXHIBIT IS TO BE ATTACHED TO
THE LEGAL DESCRIPTIONPARCEL MAP NO. 18808, P.M.B. 123/9
CITY OF MENIFEE
COUNTY OF RIVERSIDE
STATE OF CALIFORNIABASIS OF BEARINGS IS THE CENTERLINE OF
BYERS ROAD TAKEN AS N.00°31'15"E.
PER PM NO. 18808, PMB 123/9.GROSS AREA=5.07 ACRES
ROAD AREA=0.67 ACRES
NET AREA=4.40 ACRES**ANNEXATION BOUNDARY**The Metropolitan Water District
of Southern California
Geodetics & Mapping Team
ANNEXATION - CONDITIONAL REV.
Reviewer: B.G. Date: 10/1/14

PREPARED BY: SCALE: 1"=200'

**KRIEGER & STEWART**
Engineering Consultants3602 Univercity Avenue • Riverside, CA 92501
www.kriegerandstewart.com • 951-684-6900**EASTERN MUNICIPAL WATER DISTRICT**
ANNEXATION NO. 104

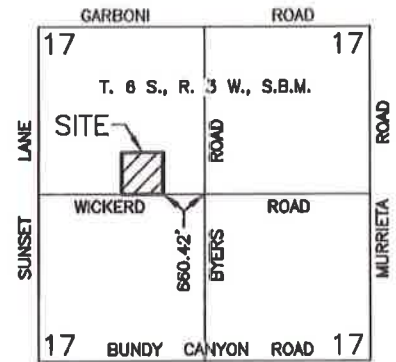


SCALE: 1"=100'

EXHIBIT "B"**PARCEL 3**THIS EXHIBIT IS TO BE ATTACHED TO
THE LEGAL DESCRIPTIONPARCEL MAP NO. 16756, P.M.B. 108/77
CITY OF MENIFEE
COUNTY OF RIVERSIDE
STATE OF CALIFORNIABASIS OF BEARINGS IS THE CENTERLINE OF
WICKERD ROAD TAKEN AS N.89°53'36"E.
PER PM NO. 16756, PMB 108/77.GROSS AREA=2.53 ACRES
ROAD AREA=0.44 ACRES
NET AREA=2.09 ACRES**ANNEXATION BOUNDARY****ADJER STREET**

SCALE: 1"=100'

PREPARED BY:

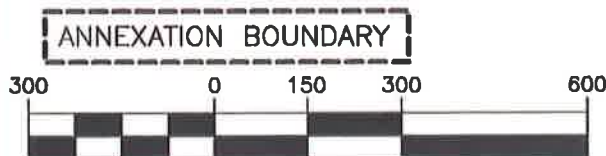
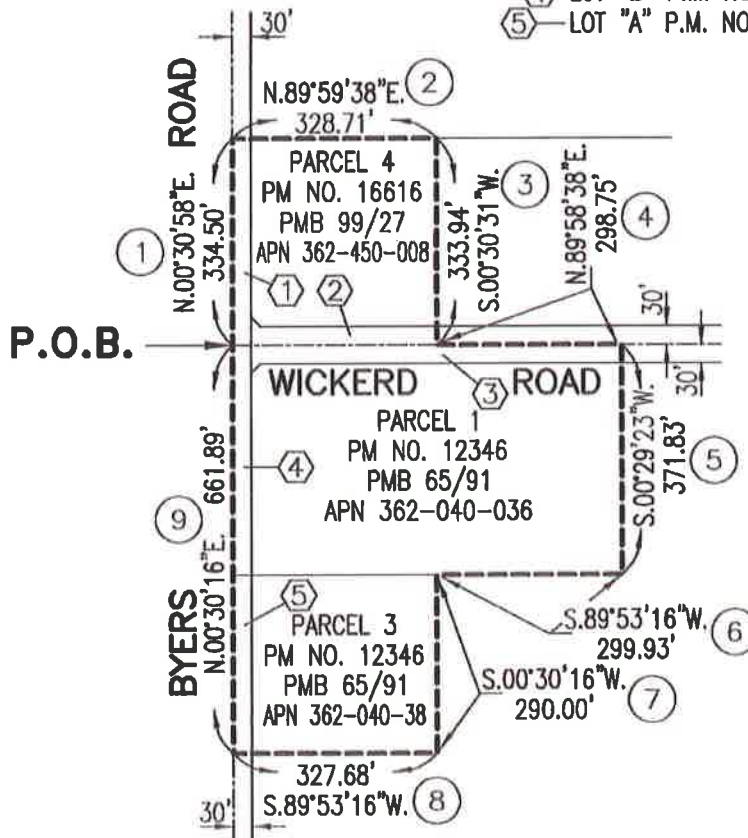
**KRIEGER & STEWART**
Engineering Consultants3602 University Avenue • Riverside, CA 92501
www.kriegerandstewart.com • 951-684-6900**SHEET 4 OF 7****VICINITY MAP**
N.T.S.The Metropolitan Water District
of Southern California
Geodetics & Mapping Team
ANNEXATION - CONDITIONAL REV
Reviewer: B.G. Date: 10/1/14**EASTERN MUNICIPAL WATER DISTRICT**
ANNEXATION NO. 104



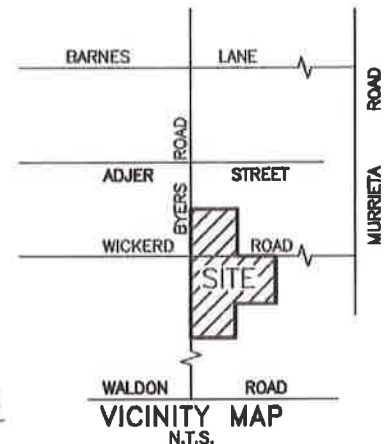
SCALE: 1"=300'

EXHIBIT "B"**PARCEL 4**THIS EXHIBIT IS TO BE ATTACHED TO
THE LEGAL DESCRIPTIONPARCEL MAP NO. 16616, P.M.B. 99/27
PARCEL MAP NO. 12346, P.M.B. 65/91CITY OF MENIFEE
COUNTY OF RIVERSIDE
STATE OF CALIFORNIABASIS OF BEARINGS IS THE CENTERLINE OF
BYERS ROAD TAKEN AS N.00°30'58"E.
PER PM NO. 16616, PMB 99/27.GROSS AREA=10.06 ACRES
ROAD AREA=1.31 ACRES
NET AREA=8.75 ACRES**LETTERED LOT LEGEND**

- ① LOT "D" P.M. NO. 16616
- ② LOT "E" P.M. NO. 16616
- ③ LOT "C" P.M. NO. 12346
- ④ LOT "B" P.M. NO. 12346
- ⑤ LOT "A" P.M. NO. 12346



PREPARED BY: SCALE: 1"=300'

K&S KRIEGER & STEWART
Engineering Consultants3602 University Avenue • Riverside, CA 92501
www.krigerandstewart.com • 951-684-6900**SHEET 5 OF 7**The Metropolitan Water District
of Southern California
Geodetics & Mapping Team
ANNEXATION - CONDITIONAL REV
Reviewer: B.G. Date: 10/1/14**EASTERN MUNICIPAL WATER DISTRICT**
ANNEXATION NO. 104

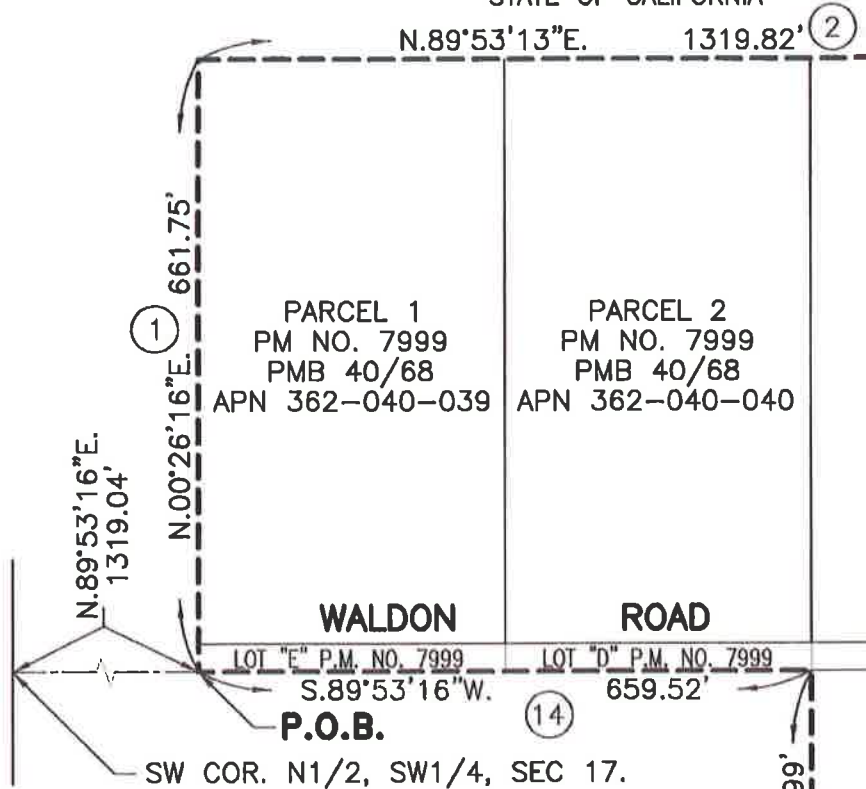
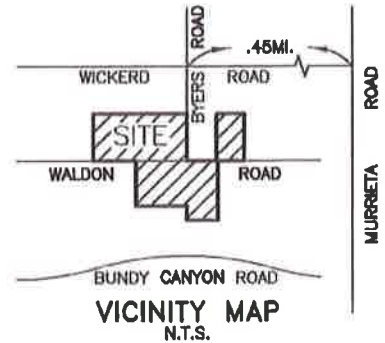


SCALE: 1"=200'

EXHIBIT "B"

PARCEL 5

THIS EXHIBIT IS TO BE ATTACHED TO
THE LEGAL DESCRIPTION
PARCEL MAP NO. 7999, P.M.B. 40/68
PARCEL MAP NO. 13515, P.M.B. 123/41
RS 56/81
CITY OF MENIFEE
COUNTY OF RIVERSIDE
STATE OF CALIFORNIA



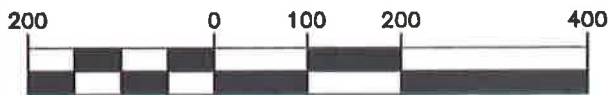
SEE SHEET 7 OF 7



BASIS OF BEARINGS IS THE CENTERLINE OF
WALDON ROAD TAKEN AS N.89°53'16"E.
PER PM NO. 7999, PMB 40/68.

GROSS AREA=37.82 ACRES
ROAD AREA=1.15 ACRES
NET AREA=36.67 ACRES

ANNEXATION BOUNDARY



SCALE: 1"=200'

PREPARED BY:



KRIEGER & STEWART
Engineering Consultants

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The Metropolitan Water District
of Southern California
Geodetics & Mapping Team
ANNEXATION - CONDITIONAL REV
Reviewer: B.G. Date: 10/1/14

EASTERN MUNICIPAL WATER DISTRICT
ANNEXATION NO. 104



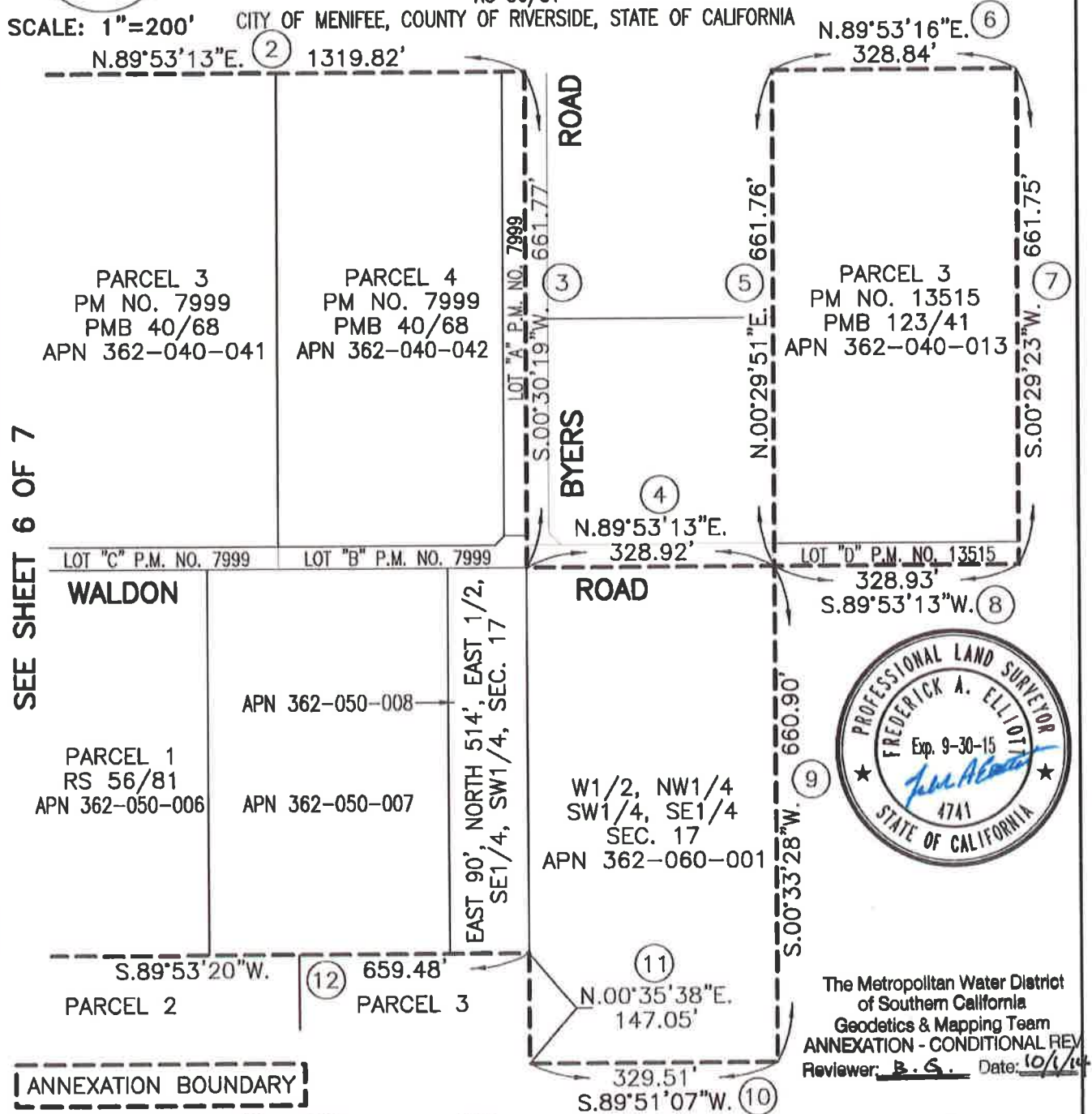
PARCEL 5 EXHIBIT "B"

SHEET 7 OF 7

THIS EXHIBIT IS TO BE ATTACHED TO THE LEGAL DESCRIPTION
 PARCEL MAP NO. 7999, P.M.B. 40/68
 PARCEL MAP NO. 13515, P.M.B. 123/41
 RS 56/81

SCALE: 1"=200'

CITY OF MENIFEE, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



PREPARED BY:



KRIEGER & STEWART
 Engineering Consultants

3602 Univerally Avenue • Riverside, CA 92501
 www.kriegerandstewart.com • 951 • 684 • 6900

EASTERN MUNICIPAL WATER DISTRICT
ANNEXATION NO. 104


**Documentation for Annexation of Lands to
The Metropolitan Water District of Southern California**

Water Use Efficiency Compliance Statement



A. General Information

<p>Description of Annexing Area The total project area consists of 1280 acres, 335 acres are within MWD/EMWD Service territory, 68.09 acres are being requested to annex at this time. The 17 separate parcels are located north of Bundy Canyon Road, east of Sunset Avenue, south of Garbani Avenue and west of Murrieta Road the City of Menifee, in south Riverside County.</p>	<p>Member Agency: Eastern Municipal Water District Annexation Name: 104th Fringe Area (County Water Company) Annexing Water Demand: 13,600 GPD or 15.2 AF/Y Peaking Water Demand: 20,400 GPD Percent MWD Supplied: 100% Development Plans: None – Existing Property Low Density Residential Zoning: Residential Additional Water Agencies Involved in Annexation: 1. 2.</p>	<p>MWD Staff Confirmation: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> <i>Ethel Young</i></p>
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B. Member Agency Water Use and Efficiency Plans

<p>1. Does your agency minimize annual water demand by incorporating water conservation measures into new development plans and service agreements?</p> <p>Describe service area wide actions.</p> <p>Administrative Code § 3107 (a)</p>	<p>Member Agency Response: Yes No</p> <p>Description: Yes, Article 6 in EMWDs Administrative Codes requires new landscaping is designed with a water budget of 70% evapotranspiration. Budgets are enforced for residential and customer with over 3,000 square feet of landscaped area through a budget based tiered rate. Water use over the budgeted amount is billed at a significantly higher rate than budget rates. The following efficiency requirements apply to all existing and future customers: refrain from hosing down driveways and other hard surfaces, repair leaks within forty- eight hours of occurrence, irrigate landscape only between 9:00 p.m. and 6:00 a.m., water no more than 15</p>	<p>MWD Staff Confirmation: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Comments: Documentation: Received 11/20/2014 On File (Date: _____) Reviewed by <i>Bill M. Donnell</i> </p>
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	<p>minutes per station, run-off or over watering is not permitted in any case (customers will be subject to penalties), adjust landscape irrigation system to avoid watering hardscape areas, do not use decorative fountains unless they are equipped with a recycling system, do not allow water to run while washing vehicles, plant low-water demand trees and plants, and refrain from watering during rain. In addition to Article 6 in EMWDs Administrative Codes , there are several ongoing residential and commercial water conservation programs offered to new developments, programs include home water surveys, weather based irrigation controllers, water efficient irrigation nozzles, and , high-efficiency clothes washers . New development service agreements also require developers to promote water conservation programs/incentives and water saving appliances. Developers must adhere to State and local plumbing and landscaping codes. EMWD is a charter signatory agency of the California Urban Water Conservation Council and promotes the Best Management Water Conservation Practices throughout its service area. A staff of conservation and education specialists provides public education programs, landscape irrigation workshops, student education programs, and conservation related campaigns.</p> <p>Supporting Documentation: Administrative Code Article 6- Water Conservation EMWD Rebate Information</p>	
<p>2. Does your service area maximize use of groundwater, surface water, and recycling to reduce annual demand on MWD?</p> <p>Describe service area wide</p>	<p>Member Agency Response: Yes No</p> <p>Description: Yes, EMWD produces about 17% of its supplies from local groundwater. Other sources of water include recycled water produced from four regional water reclamation facilities, two reverse osmosis desalination plants, two microfiltration plants, and a groundwater recharge operation. Plans are underway for one additional desalination plant and expanding our groundwater</p>	<p>MWD Staff Confirmation: <u>Yes</u> No Comments:</p> <p>Documentation:</p>

<p>actions.</p> <p>Administrative Code § 3107 (a)</p>	<p>recharge program.</p> <p>Supporting Documentation: Brochure - Maximizing Resources Brochure - Salinity Management Program Administrative Code Article 6 Recycled Water Use Groundwater Management Plan</p>	<p>Received On File (Date: 11/20/2014) Reviewed by Bill McQuinnell </p>
<p>3. Does your service area use storage and groundwater facilities and conservation to minimize peak demand on MWD?</p> <p>Describe service area wide actions.</p> <p>Administrative Code § 3107 (b)</p>	<p>Member Agency Response: Yes No</p> <p>Description: Yes, EMWD utilizes its storage facilities and groundwater basins to reduce peak demand on MWD. EMWD maintains 80 water reservoirs that hold more than 190 million gallons of water and 21 wells that produce 18,800 AFY. All of the aforementioned facilities help EMWD reduce its reliance on MWD during critical peak demand. EMWD forecasts demand and adjusts tank levels accordingly. If the District anticipates significant system demand the tanks will be filled in excess of standard levels. EMWD also accomplishes reduced pumping during peak hours to utilize storage and conserve energy. EMWD also has a groundwater recharge program consisting of spreading ponds in the Hemet/San Jacinto area that are used to store excess water during wet periods. This program has been expanded with the construction of a major raw water transmission pipeline that made State Water Project available to recharge the sub-basin. A Water harvesting project has been constructed using an old MWD reservoir to capture water from Riverside County Flood Control and the Water Conservation District storm drains.</p> <p>Outdoor water conservation is promoted throughout our service area. Programs such as Weather-Based Controllers for commercial landscape accounts; the nozzle replacement program, and landscape restrictions as outlined in the Administrative Code Article 6 are all examples of outdoor water conservation programs supported by</p>	<p>MWD Staff Confirmation: <input checked="" type="radio"/> Yes <input type="radio"/> No Comments:</p> <p>Documentation: Received 11/20/2014 On File (Date: 11/20/2014) Reviewed by Bill McQuinnell </p>

	<p>EMWD.</p> <p>Supporting Documentation: Administrative Code Article 6 – Water Conservation Brochure – Hemet/San Jacinto Conjunctive Use Program Report - Active Production Wells Report - Active Tank List</p>	
<p>4. Does your agency offer all MWD new development conservation programs?</p> <p>Describe how they are promoted.</p> <p>Administrative Code § 3107 (b)</p>	<p>Member Agency Response: Yes No</p> <p>Description: Yes, MWD's new development conservation programs, including residential water surveys, water-wise landscape/irrigation workshops, high efficiency washing machine rebates, moisture sensors, CII program, etc are offered to all of our customers. For many rebates EMWD has added funding to encourage additional participation. As outlined in the Conservation Department Programs pamphlet, these programs are offered to all new customers as well as subagencies. These are promoted via bill stuffers, EMWD's web site, newspaper articles and advertisements, and community outreach meetings such as Chambers of Commerce events, homeowners association meetings and civic associations, etc. Subagencies are able to participate in MWD rebates through the region wide program.</p> <p>Supporting Documentation: CII Regional Rebate Program Agreement No. 66644 Residential Region wide Rebate Program Agreement 70031 Monthly Customer Newsletters Conservation Promotional Flyers</p>	<p>MWD Staff Confirmation: <input checked="" type="radio"/> Yes <input type="radio"/> No Comments:</p> <p>Documentation: Received On File (Date: 11/20/2014) Reviewed by <i>Bill M'Dunnell</i></p>
<p>5. Does your agency have a specific conservation program for new development</p>	<p>Member Agency Response: Yes No</p> <p>Description: Yes, EMWD has initiated a long term campaign to encourage all customers to use water wisely. EMWD, sponsors</p>	<p>MWD Staff Confirmation: <input checked="" type="radio"/> Yes <input type="radio"/> No Comments:</p>

<p>independent of MWD funding?</p> <p>Describe.</p> <p>Administrative Code § 3107 (b)</p>	<p>workshops on California-friendly plants to promote landscaping using drought tolerant plants and the Water Waste Program to report/correct the wasteful use of water. The New Residential Development Campaign is targeted at new residential customers and consists of a welcome letter, a quarterly newsletter containing seasonal tips and ideas for water conservation, and a survey. EMWD enforces local and state landscape ordinances through the use of budgets based tiered rates Effective September of 2008 new customers have a lower water budget than existing customers.</p> <p>Supporting Documentation:</p> <p>Brochures - WUIW Water Efficient Landscape Workshop Water Waste Program - Sample Letter New Residential Development Campaign – Letter and Brochures</p>	<p>Documentation:</p> <p>Received 11/20/2014 On File (Date: <u>11/20/2014</u>) Reviewed by <u>Bill McDonnell</u></p>
<p>6. Does your service area use recycled water in accordance with California Water Code Sections 13550 - 13554?</p> <p>Describe service area wide actions.</p> <p>Administrative Code § 3107 (c)</p>	<p>Member Agency Response: Yes No</p> <p>Description: Yes. EMWD has an extensive recycled water distribution system consisting of more than 170 miles of pipeline linking five regional water reclamation facilities. More than 6,000 AF of storage pond capacity have been constructed at ten locations throughout our service area for seasonal storage of surplus recycled water. About 34,500 AFY of recycled water is sold to customers at 110 different sites, ranking EMWD among the top water recycling agencies in California. Recycled water is conditioned for new projects serviced by EMWD that meet the Recycled Water Facilities and Service Guidelines adopted by EMWD's Board of Directors as required in Water Code sections 13550-13554</p> <p>Supporting Documentation:</p> <p>Brochure - EMWD Recycling Program Recycled Water Policy & Guidelines Report - Recycled Water Production & Sales</p>	<p>MWD Staff Confirmation:</p> <p><input checked="" type="radio"/> Yes <input type="radio"/> No</p> <p>Comments:</p> <p>Documentation:</p> <p>Received 11/20/2014 On File (Date: <u>11/20/2014</u>) Reviewed by <u>estj</u></p>
<p>7. Are Best Management</p>	<p>Member Agency Response: Yes No</p>	<p>MWD Staff Confirmation:</p>

<p>Practices conditioned on all new development?</p> <p>Describe BMP implementation. Describe BMP implementation in new development.</p> <p>Administrative Code § 3107 (d)</p>	<p>Description: Yes. In fulfillment of the BMP's, all of the incentives/rebates are offered to new development within our service area. As a condition of service, new development must agree to meet all code requirements established by their respective City or County, as applicable. Each of these agencies has stringent landscape codes. Large commercial landscaping requires a dedicated landscape irrigation meter, submittal of plans for approval, and an approved water budget enforced through a budget based tiered rate. EMWD also requires new homes to install water efficient landscaping in accordance with the State Model ordinance enforced through a budget based tiered rate. EMWD is a leading member of the Riverside County Water Task Force whose purpose is to promote water use best management practices for cities and other entities throughout Riverside County.</p> <p>Supporting Documentation: County of Riverside Landscape Requirements Riverside County Water Task Force Program</p>	<p><input checked="" type="radio"/> Yes <input type="radio"/> No Comments:</p> <p>Documentation: Received 11/20/2014 On File (Date: <u>11/20/2014</u>) Reviewed by <u>Bill McDunnell</u></p>
<p>8. Can your agency sustain a 7-day interruption in service as described in MWD Admin. Code Section 4503?</p> <p>Administrative Code § 3107 (e)</p>	<p>Member Agency Response: Yes <input type="radio"/> No <input checked="" type="radio"/></p> <p>EMWD would be able to sustain a 7-day interruption in service as described in MWD's Administrative Code Section 4503. EMWD has a diverse portfolio of water supplies including 5 active connections to MWD system. Depending on their location, these connections are either supplied by the SPW or CRW. Additionally, EMWD has over 190 MG of elevated storage, 21 active wells, two Microfiltration and two brackish water desalters. Shutdowns in excess of 2 days during the peak demand months would require additional conservation efforts.</p>	<p>MWD Staff Confirmation: <input checked="" type="radio"/> Yes <input type="radio"/> No Comments:</p> <p>Documentation: Received 11/20/2014 On File (Date: <u>11/20/2014</u>) Reviewed by <u>Bill McDunnell</u></p>
<p>9. Are your agency and all other agencies listed in (A) above signatory to the California Urban Water Conservation Council's</p>	<p>Member Agency Response: Yes <input type="radio"/> No <input checked="" type="radio"/></p> <p>Yes. EMWD is signatory to CUWCC BMP's</p> <p>Form of Documentation:</p>	<p>MWD Staff Confirmation: <input checked="" type="radio"/> Yes <input type="radio"/> No Comments:</p>

BMP MOU? Administrative Code § 3107 (f)	February 5, 1992 Board Letter – Approving Signatory to the CUWCC MOU	Documentation: Received <u>11/20/2014</u> On File (Date: <u>11/20/2014</u>) Reviewed by <u>Bill McDonnell</u>
10. Has your agency and all other agencies listed in (A) submitted a report to CUWCC? Administrative Code § 3107 (f)	Member Agency Response: Yes No Yes. EMWD submitted a report to CUWCC in March 2014 for the 2009/2010, 2010/2011, and 2011/2012 fiscal year. EMWD is at 100% compliance. The supporting documentation for 1420 compliance and the 2010 UWMP provide equivalent information to the CUWCC reports. Form of Documentation: EMWD Years 2009 2010, 2010 2011, 2011 2012 BMP Reports AB 1420 Compliance Documentation and supporting information. 2010 UWMP Section 8	MWD Staff Confirmation: <input checked="" type="radio"/> Yes <input type="radio"/> No Comments: Documentation: Received <u>11/20/2014</u> On File (Date: <u>11/20/2014</u>) Reviewed by <u>Bill McDonnell</u>

<p>11. Are your agency and all other agencies listed in (A) above in compliance with the California Urban Water Conservation Council's BMP MOU?</p> <p>Administrative Code § 3107 (f)</p>	<p>Yes, EMWD has met all BMP requirements.</p>	<p>MWD Staff Confirmation: <input checked="" type="radio"/> Yes <input type="radio"/> No Comments: Documentation: Received 11/20/2014 On File (Date:) Reviewed by <u>Bill McDonnell</u></p>
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Agency Certification and Signature

The following member agency assures compliance with the provisions of Metropolitan's Water-Use Efficiency Guidelines as indicated in Metropolitan's Administrative Code Section 3107 and shall report to Metropolitan Regarding such compliance.

EASTERN MUNICIPAL WATER DISTRICT

Paul D. Jones II, P.E. General Manager

Date: 11.6.14

RESOLUTION

RESOLUTION OF THE BOARD OF DIRECTORS
OF THE METROPOLITAN WATER DISTRICT OF
SOUTHERN CALIFORNIA
CONSENTING TO EASTERN MUNICIPAL WATER DISTRICT'S
104TH FRINGE AREA ANNEXATION
AND FIXING THE TERMS AND CONDITIONS
OF SAID ANNEXATION TO
THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

WHEREAS, the Board of Directors of the Eastern Municipal Water District (Eastern), a county water authority situated in the county of Riverside, state of California, pursuant to Resolution No. 2014-140, in accordance with the provisions of the Metropolitan Water District Act (MWD Act), has applied to the Board of Directors of The Metropolitan Water District of Southern California (Metropolitan) for consent to annex thereto certain uninhabited territory situated in the county of Riverside referred to as 104th Fringe Area Annexation, more particularly described in an application to the Riverside County Local Agency Formation Commission (LAFCO), concurrently with the annexation thereof to Eastern, such annexation to Metropolitan to be upon such terms and conditions as may be fixed by the Board of Directors of Metropolitan;

WHEREAS, the owner of Riverside County Assessor Parcel Numbers 362-430-005, 362-430-002, 362-430-017, 362-430-018, 362-430-011, 362-450-008, 362-040-036, 362-040-038, 362-040-039, 362-040-040, 362-040-041, 362-040-042, 362-040-013, 362-050-006, 362-050-007 and 362-060-001 (Property) has applied for annexation into the Eastern and Metropolitan;

WHEREAS, completion of said annexation shall be contingent upon approval by LAFCO;

WHEREAS, completion of said annexation shall be further contingent upon LAFCO conditioning its approval of the 104th Fringe Area Annexation upon a requirement that Metropolitan's existing and established taxes, benefit assessments, or property-related fees or charges in place in the service area are levied or fixed and collected on the parcels being annexed to the agency; these taxes, benefit assessments, or property-related fees or charges are identified below;

WHEREAS Metropolitan has levied and collected ad valorem taxes on parcels within the territory of Eastern. Such charges for calendar year 2015 are described in Resolution 9182, adopted by Metropolitan's Board on August 19, 2014;

WHEREAS, since fiscal year 1992-93, Metropolitan has levied and collected water standby charges pursuant to Section 134.5 of the MWD Act on parcels within the territory of Eastern. Such charges for fiscal year 2014-15 are described in Resolution 9179, adopted by Metropolitan's Board on May 13, 2014;

WHEREAS, upon annexation, the parcels will be within Metropolitan's service area, Metropolitan water will be available to such parcels and such parcels will receive the benefit of the projects provided in part with proceeds of Metropolitan's water standby charges;

WHEREAS, pursuant to the provisions of the California Environmental Quality Act (CEQA), Eastern Municipal Water District, acting as Lead Agency, prepared a Notice Of Exemption (NOE) for the County Water Company of Riverside Potable Water System Improvement Project, and approved the Project on August 27, 2013, for the development of the proposed annexation parcels, and Metropolitan, as Responsible Agency under CEQA, is required that it has reviewed and considered the information contained in the NOE prior to approval of the formal terms and conditions for the 104th Fringe Area annexation; and

WHEREAS, it appears to this Board of Directors that such application should be granted, subject to the terms and conditions hereinafter set forth.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of Metropolitan, acting as Responsible Agency, has reviewed and considered the information in the NOE prior to approval of the final terms and conditions for the 104th Fringe Area Annexation; and subject to the following terms and conditions, does hereby grant the application of the governing body of Eastern Municipal Water District for consent to annex 104th Fringe Area Annexation, to Metropolitan and does hereby fix the terms and conditions of such annexation;

BE IT FURTHER RESOLVED that the Board of Directors of Metropolitan, subject to the following terms and conditions, does hereby grant the application of the governing body of Eastern for consent to annex the 104th Fringe Area Annexation to Metropolitan and does hereby fix the terms and conditions of such annexation:

Section 1. The annexation of said area to Eastern shall be made concurrently with the annexation thereof to Metropolitan, and all necessary certificates, statements, maps, and other documents required to be filed by or on behalf of Eastern to effectuate the annexation shall be filed on or before December 31, 2016.

Section 2. Prior to filing a request for a Certificate of Completion of the annexation proceedings with LAFCO, Eastern shall submit a certified copy of LAFCO's resolution approving the annexation to Eastern, and shall pay to Metropolitan \$327,044.44 for its annexation fee, if the annexation is completed by December 31, 2015. If the annexation is completed during the 2016 calendar year, the annexation charge will be calculated based on the then-current rate, in accordance with Metropolitan's Administrative Code Section 3300.

Section 3. a. Metropolitan shall be under no obligation to provide, construct, operate, or maintain feeder pipelines, structures, connections, and other facilities required for the delivery of water to said area from works owned and operated by Metropolitan.

b. Eastern shall not be entitled to demand that Metropolitan deliver water to Eastern for use, directly or indirectly, within said area, except for domestic or municipal use therein.

c. The delivery of all water by Metropolitan, regardless of the nature and time of use of such water shall be subject to the water service regulations, including rates and charges promulgated from time to time by Metropolitan.

d. The delivery of all water by Metropolitan, regardless of the nature and time of use of such water shall be subject to the water service regulations, including rates and charges promulgated from time to time by Metropolitan.

e. Except upon the terms and conditions specifically approved by the Board of Directors of Metropolitan, water sold and delivered by Metropolitan shall not be used in any manner which intentionally or avoidably results in the direct or indirect benefit of areas outside Metropolitan, including use of such water outside Metropolitan or use thereof within Metropolitan in substitution for other water outside Metropolitan.

Section 4. LAFCO has conditioned approval of the annexation upon a requirement that Metropolitan levy or fix and collect all previously established and collected taxes, benefit assessments, or property-related fees or charges on parcels being annexed to the agency.

Section 5. Such charges, which are subject to change over time, include but are not limited to:

a. Metropolitan's ad valorem tax on properties located within the territory of Eastern. Metropolitan shall levy the ad valorem tax in the amount, at the same time and in the same manner as ad valorem tax on other properties located within the territory of Eastern. Such charges for fiscal year 2014-15 are 0.003500 percent of the assessed value of each parcel, as described in Resolution 9182, adopted by Metropolitan's Board on August 19, 2014.

b. Metropolitan's water standby charge on properties located within the territory of Eastern. Metropolitan shall levy the water standby charge in the amount, at the same time and in the same manner as water standby charges on other properties located within the territory of Eastern. Such charges for fiscal year 2014-15 are \$6.94 per acre of land, or per parcel of land less than an acre, as described in Resolution 9179, adopted by Metropolitan's Board on May 13, 2014.

Section 6. That the General Manager is hereby authorized and directed to take all necessary action to secure the collection of the ad valorem taxes and water standby charges by the appropriate county officials, including payment of the reasonable cost of collection.

Section 7. That the Board of Directors of Metropolitan, acting as Responsible Agency, has reviewed and considered the information in the NOE prior to approval of the final terms and conditions for the 104th Fringe Area Annexation; and subject to the following terms and conditions, does hereby grant the application of the governing body of EMWD for consent to annex

the 104th Fringe Area Annexation to Metropolitan and does hereby fix the terms and conditions of such annexation.

Section 8. That the General Manager and General Counsel are hereby authorized to do all things necessary and desirable to accomplish the purposes of this resolution, including, without limitation, the commencement of defense of litigation.

Section 9. That if any provision of this resolution or the application to any member agency, property or person whatsoever is held invalid, that invalidity shall not affect the other provisions or applications of this resolution which can be given effect without the invalid portion or application, and to that end the provisions of this resolution are severable.

BE IT FURTHER RESOLVED that the Board Executive Secretary is directed to transmit forthwith to the governing body of Eastern a certified copy of this resolution.

I HEREBY CERTIFY that the foregoing is a full, true and correct copy of a resolution adopted by the Board of Directors of The Metropolitan Water District of Southern California, at its meeting held on January 13, 2015.

Secretary of the Board of Directors
of The Metropolitan Water District
of Southern California

NOTICE OF EXEMPTION

To: ■ Office of Planning and Research
1400 Tenth Street
P. O. Box 3044
Sacramento, CA 95812-3044

From: Eastern Municipal Water District
2270 Trumble Road
P. O. Box 8300
Perris, CA 92572-8300

■ County Clerk
County of Riverside
2724 Gateway Drive
P. O. Box 751
Riverside, CA 92502-0751

COUNTY CLERK
Neg Declaration/Ntc Determin
Filed per P.R.C. 21152
POSTED

SEP 03 2014

FILED
RIVERSIDE COUNTY

SEP 03 2014

LARRY W. WARD, CLERK

By *[Signature]* M. Meyer
Deputy

Removed: _____
By: _____ Dept
County of Riverside State of California

Project Title: **Annexation of Parcels from the County Water Company of Riverside to Eastern Municipal Water District**

Project Location – Specific: Eastern Municipal Water District's project is located in the eastern part of the CWC in the City of Menifee, north of Bundy Canyon Road, east of Sunset Avenue, south of Garbani Road, and west of Murrieta Road.

Project Location – City: Bisected by the boundary between Menifee and Wildomar

Project Location – County: Riverside

Description of Nature, Purpose, and Beneficiaries of Project:

The proposed project consists of the annexation of 17 parcels (APNs: 362-040-013, 362-040-036, 362-040-038, 362-040-039, 362-040-040, 362-040-041, 362-040-042, 362-050-006, 362-050-007, 362-050-008, 362-060-001; 362-430-002, 362-430-005, 362-430-011, 362-430-017, 362-430-018, 362-450-008) amounting to approximately 65 acres of land belonging to the County Water Company of Riverside (CWC), to Eastern Municipal Water District (District) and the Metropolitan Water District of Southern California (Metropolitan). Annexation of the land will allow the District to provide water service to existing customers located in the eastern portion of the current CWC service area.

The CWC is approximately 1,280 acres of area, bounded by Bundy Canyon Road on the south, Canyon Hills Development (Lake Elsinore) on the north, Geary Street/Skyhawk Lane on the east, and Pine Avenue on the west. The CWC system relies on a single Well that has had reliability and significant water quality issues. The Well has periodically not been able to produce any water and emergency water supplies have had to be brought in by District trucks. These issues have been the subject customer complaints, newspaper articles, and have raised concerns at the Riverside County Department of Environmental Health (DEH) and the California Department of Public Health (CDPH).

The owners of CWC indicated a desire to cease operating the water company. This created a need to identify a succession plan for providing acceptable water service to the existing customer of the CWC. In response, the District, and Elsinore Valley Municipal Water District (EVMWD) collaborated and analyzed three potential options, and terms of service for providing water service to the CWC area.

On August 28, 2013, the District filed a Notice of Exemption (NOE) for the "County Water Company (CWC) of Riverside Potable Water System Improvement Project" (Project) in accord with the California Environmental Quality Act (CEQA) Statutes and Guidelines. The NOE was filed with the County of Riverside and the Office of Planning and Research, State Clearing House number 2013098001.

The Project includes the consolidation of the CWC into both the water systems of the District and EVMWD, for approximately 150 existing customers. The District will serve existing customers located in the eastern portion of the CWC system, while EVMWD will serve customers in the western portion. Each district would extend service lines from existing facilities to the CWC system and interconnect at various locations. CWC's existing well would be taken out of service and destroyed using the CDPH Well destruction standard.

NOTICE OF EXEMPTION

To: ■ Office of Planning and Research
1400 Tenth Street
P. O. Box 3044
Sacramento, CA 95812-3044

From: Eastern Municipal Water District
2270 Trumble Road
P. O. Box 8300
Perris, CA 92572-8300

■ County Clerk
County of Riverside
2724 Gateway Drive
P. O. Box 751
Riverside, CA 92502-0751

FILED
RIVERSIDE COUNTY

AUG 28 2013

LARRY W. WARD, CLERK

By *[Signature]* M. Meyer
Deputy

Project Title: County Water Company (CWC) of Riverside Potable Water System Improvement Project

Project Location – Specific: CWC is approximately 1,280 acres of area, and is bounded by Bundy Canyon Road on the south, Canyon Hills Development (Lake Elsinore) on the north, Geary Street/Skyhawk Lane on the east, and Pine Avenue on the west. EMWD's project is located in the Eastern part of CWC in the City of Menifee, North of Bundy Canyon Road, East of Sunset Avenue, South of Garbani Road, and West of Murrieta Road.

Project Location – City: Bisected by the boundary between Menifee and Wildomar

Project Location – County: Riverside

Description of Nature, Purpose, and Beneficiaries of Project:

The proposed project includes the consolidation of the County Water Company of Riverside into the water systems of Eastern Municipal Water District (EMWD) and Elsinore Valley Municipal Water District (EVMWD) for approximately 150 existing customers. This project enables EMWD to service the east half of the current CWC system and EVMWD to service the west half of the current CWC system. Each district would extend service lines from existing facilities to the CWC system and interconnect in various locations. CWC's existing well would be taken out of service and destroyed using the California Department of Public Health (CDPH) well destruction standard.

EMWD's portion of the project proposes to construct approximately 3,900 lineal feet (LF) of 8-inch pipeline in two segments measuring approximately 1,800 LF and 2,100 LF. EMWD's project also proposes a nominal number of fire hydrants, mainline valves, and air valves to be added to the existing CWC distribution system to increase the level of service. Additionally, the project proposes a hydro-pneumatic booster system (pumps and a tank), and necessary appurtenances would be added to both CWC and EMWD facilities to maintain service pressure at higher elevations.

Name of Public Agency Approving Project: Eastern Municipal Water District

Name of Person or Agency Carrying Out Project: Eastern Municipal Water District

Exempt Status: (check one)

- ☐ Ministerial (Section 21080(b)(1); 15268);
- ☐ Declared Emergency (Section 21080(b)(3); 15269(a));
- ☐ Emergency Project (Section 21080(b)(4); 15269(b)(c));
- ☒ Categorical Exemption Existing Facilities (Section 15301(b); 15303(d),(e))
- ☒ Statutory Exemption (Section 21080.21)

COUNTY CLERK
Neg Declaration/Ntc Determination
Filed per P.R.C. 21152
POSTED

AUG 28 2013
Removed 10.1.13
By: *[Signature]*
County of Riverside, State of California

Reasons why project is exempt: The purpose of the project is to consolidate the CWC into EMWD and EVMWD water systems to provide service to approximately 150 existing customers. EMWD's portion of the project includes two segments of pipeline to be constructed within the public rights-of-way, is less than one mile in length and meets the criteria for a statutory exemption under Section 21080.21 of CEQA. The project also includes fire hydrants, valves, hydro-pneumatic booster system, and necessary appurtenances. Under CEQA Guidelines 15301 and 15303 exemptions exist as follows:

21080.21 Right-of-Way Pipeline Projects

The division does not apply to any project of less than one mile in length within a public street or highway or any other public right-of-way for the installation of a new pipeline or the maintenance, repair, restoration, reconditioning, relocation, replacement, removal, or demolition of an existing pipeline. For purposes of this section, "pipeline" includes subsurface facilities but does not include any surface facility related to the operation of the underground facility.

15301. Existing Facilities

Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment or topographical features, involving negligible or expansion of use beyond that existing at the time of the lead agency's determination. The key consideration is whether the project involves negligible or no expansion of use. Examples are not limited to:

- (b) Existing facilities or both investor and publicly-owned utilities used to provide electric power, natural gas, sewerage, or other public utility services;*


15303. New Construction or Conversion of Small Structures

Class 3 consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. The number of structures described in this section, are the maximum allowable on any legal parcel. Examples of this exemption include, but are not limited to:

- (d) Water main, sewage, electrical, gas, and other utility extensions, including street improvements, of reasonable length to serve such construction.*
- (e) Accessory (appurtenant) structures*

EMWD Contact Person: Helen Stratton, CEQA/NEPA Analyst

Phone: (951) 928-3777, ext. 4545

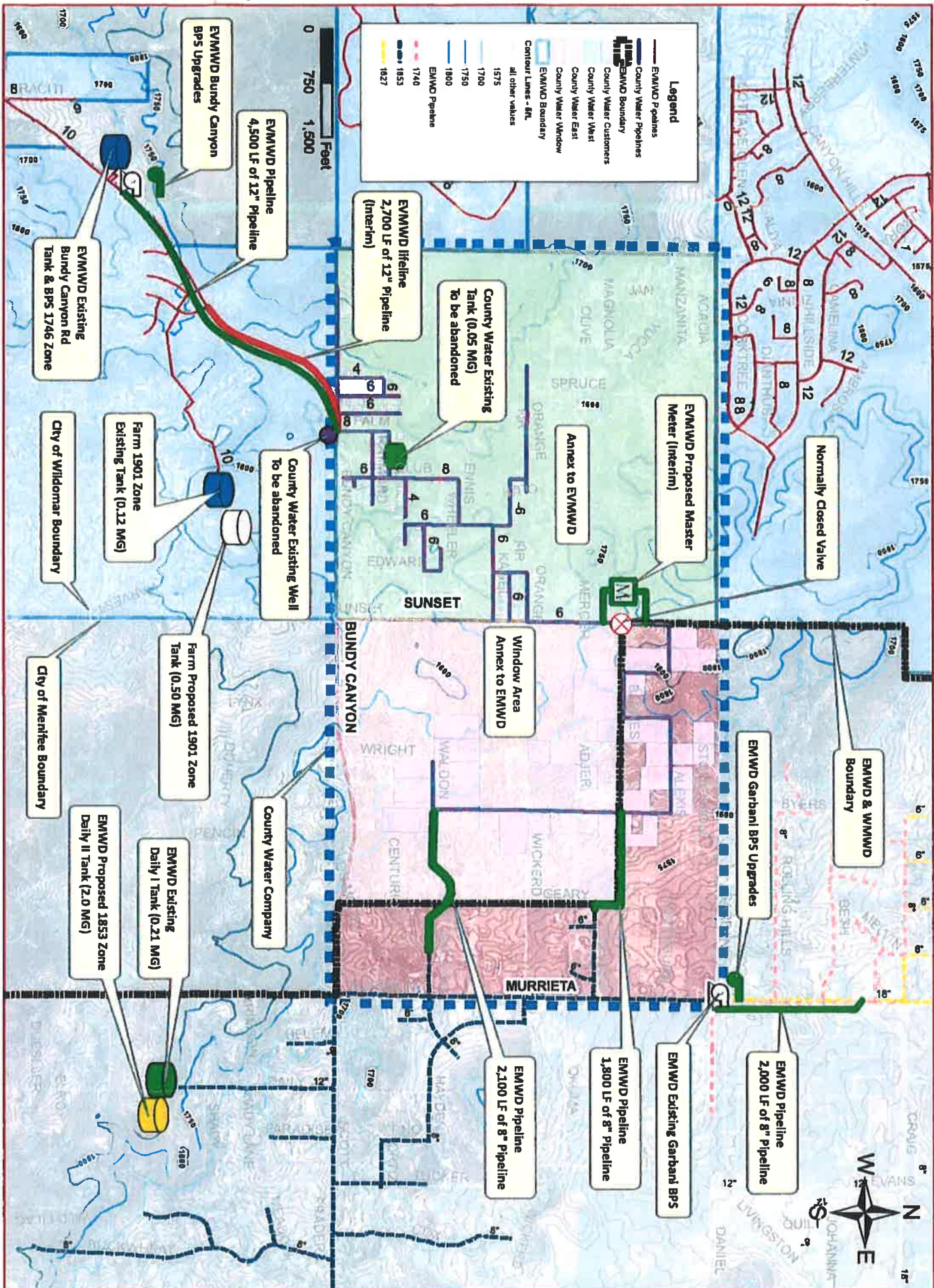


Jayne Joy, P.E.
Director of Environmental and
Regulatory Compliance



Date

Date received for filing at OPR:



PREFERRED OPTION

Date: 6/18/2013

STATE OF CALIFORNIA - THE RESOURCES AGENCY
DEPARTMENT OF FISH AND GAME
ENVIRONMENTAL FILING FEE CASH RECEIPT

Receipt #: 201300531

State Clearinghouse # (If applicable): _____

Lead Agency: EASTERN MUNICIPAL WATER DISTRICT **Date:** 08/28/2013

County Agency of Filing: Riverside **Document No:** 201300531

Project Title: COUNTY WATER COMPANY OF RIVERSIDE POTABLE WATER SYSTEM IMPROVEMENT

Project Applicant Name: EASTERN MUNICIPAL WATER DISTRICT **Phone Number:** 951 928-3777

Project Applicant Address: 2270 TRUMBLE ROAD PERRIS CA 92572-8300

Project Applicant: Local Public Agency

CHECK APPLICABLE FEES:

☐ Environmental Impact Report

☐ Negative Declaration

☐ Application Fee Water Diversion (State Water Resources Control Board Only)

☐ Project Subject to Certified Regulatory Programs

☒ County Administration Fee

☐ Project that is exempt from fees (DFG No Effect Determination (Form Attached))

☒ Project that is exempt from fees (Notice of Exemption)

\$50.00

Total Received \$50.00

Signature and title of person receiving payment: 

Notes:

STATE OF CALIFORNIA - THE RESOURCES AGENCY
DEPARTMENT OF FISH AND GAME
ENVIRONMENTAL FILING FEE CASH RECEIPT

Receipt #: 201300651

State Clearinghouse # (If applicable): _____

Lead Agency: ELSINORE VALLEY MUNICIPAL WATER DISTRICT Date: 10/16/2013County Agency of Filing: Riverside Document No: 201300651Project Title: COUNTY WATER COMPANY OF RIVERSIDE POTABLE WATER SYSTEM IMPROVEMENTProject Applicant Name: ELSINORE VALLEY MUNICIPAL WATER DISTRICT Phone Number: 951 674-3146Project Applicant Address: 31315 CHANEY ST LAKE ELSINORE CA 92531Project Applicant: Local Public AgencyCHECK APPLICABLE FEES:

- | | |
|---|----------------|
| <input type="checkbox"/> Environmental Impact Report | _____ |
| <input type="checkbox"/> Negative Declaration | _____ |
| <input type="checkbox"/> Application Fee Water Diversion (State Water Resources Control Board Only) | _____ |
| <input type="checkbox"/> Project Subject to Certified Regulatory Programs | _____ |
| <input checked="" type="checkbox"/> County Administration Fee | <u>\$50.00</u> |
| <input type="checkbox"/> Project that is exempt from fees (DFG No Effect Determination (Form Attached)) | |
| <input checked="" type="checkbox"/> Project that is exempt from fees (Notice of Exemption) | |

Total Received \$50.00Signature and title of person receiving payment: 

Notes.

NOTICE OF EXEMPTION

To: ■ Office of Planning and Research
1400 Tenth Street
P. O. Box 3044
Sacramento, CA 95812-3044

From: Elsinore Valley Municipal Water District
31315 Chaney Street
Lake Elsinore, CA 92531

■ County Clerk
County of Riverside
2724 Gateway Drive
P. O. Box 751
Riverside, CA 92502-0751

Project Title: County Water Company (CWC) of Riverside Potable Water System Improvement Project

Project Location – Specific: CWC is approximately 1,280 acres of area, and is bounded by Bundy Canyon Road on the south, Canyon Hills Development (Lake Elsinore) on the north, Geary Street/Skyhawk Lane on the east, and Pine Avenue on the west. EVMWD's project is located in the western part of CWC in the City of Wildomar, north of Bundy Canyon Road, west of Sunset Avenue, south of Hemlock Street, and east of Pine Avenue.

Project Location – City: Bisected by the boundary between Menifee and Wildomar

Project Location – County: Riverside

Description of Nature, Purpose, and Beneficiaries of Project: The proposed project includes the consolidation of the County Water Company of Riverside into the water systems of Eastern Municipal Water District (EMWD) and Elsinore Valley Municipal Water District (EVMWD) for approximately 150 existing customers. This project enables EMWD to service the east half of the current CWC system and EVMWD to service the west half of the current CWC system. Each district would extend service lines from existing facilities to the CWC system and interconnect in various locations. CWC's existing well would be taken out of service and destroyed, using the California Department of Public Health (CDPH) well destruction standard.

EVMWD's portion of the project proposes to construct approximately 4,600 lineal feet (LF) of 12-inch pipeline in one segment. EVMWD's project also proposes a nominal number of fire hydrants, mainline valves, and air valves to be added to the existing CWC distribution system to increase the level of service. Additionally, the project proposes a hydro-pneumatic booster system (pumps and a tank); and necessary appurtenances would be added to both CWC and EVMWD facilities to maintain service pressure at higher elevations.

Name of Public Agency Approving Project: Elsinore Valley Municipal Water District

Name of Person or Agency Carrying Out Project: Elsinore Valley Municipal Water District

Exempt Status: (check one)

- ☐ Ministerial (Section 21080(b)(1); 15268);
- ☐ Declared Emergency (Section 21080(b)(3); 15269(a));
- ☐ Emergency Project (Section 21080(b)(4); 15269(b)(c));
- ☒ Categorical Exemption Existing Facilities (Section 15301(b); 15303(d),(e))
- ☒ Statutory Exemption (Section 21080.21)

OCT 16 2015

Reasons why project is exempt: The purpose of the project is to consolidate the CWC into EMWD and EVMWD water systems to provide service to approximately 150 existing customers. EVMWD's portion of the project includes one segment of pipeline to be constructed within the public rights-of-way, is less than one mile in length and meets the criteria for a statutory exemption under Section 21080.21 of CEQA. The project also includes fire hydrants, valves, hydro-pneumatic booster system, and necessary appurtenances. Under CEQA Guidelines 15301 and 15303, exemptions exist as follows:

21080.21 Right-of-Way Pipeline Projects

The division does not apply to any project of less than one mile in length within a public street or highway or any other public right-of-way for the installation of a new pipeline or the maintenance, repair, restoration, reconditioning, relocation, replacement, removal, or demolition of an existing pipeline. For purposes of this section, "pipeline" includes subsurface facilities but does not include any surface facility related to the operation of the underground facility.

15301. Existing Facilities

Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment or topographical features, involving negligible or expansion of use beyond that existing at the time of the lead agency's determination. The key consideration is whether the project involves negligible or no expansion of use. Examples are not limited to:

- (b) *Existing facilities or both investor and publicly-owned utilities used to provide electric power, natural gas, sewerage, or other public utility services;*

15303. New Construction or Conversion of Small Structures

Class 3 consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. The number of structures described in this section, are the maximum allowable on any legal parcel. Examples of this exemption include, but are not limited to:

- (d) *Water main, sewage, electrical, gas, and other utility extensions, including street improvements, of reasonable length to serve such construction.*
- (e) *Accessory (appurtenant) structures*

**EVMWD Contact
Person:**

Norris Brandt, Assistant General
Manager

Phone: 951.674.3146 ext. 8359


Norris Brandt, P.E.
Assistant General Manager

10-10-13
Date

Date received for filing at OPR:

Senate Bill No. 1130**CHAPTER 173**

An act to add Section 71760 to the Water Code, relating to drinking water, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor July 21, 2014. Filed with
Secretary of State July 21, 2014.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1130, Roth. Drinking water: County Water Company of Riverside water system: liability.

(1) The Municipal Water District Law of 1911 provides for the formation of municipal water districts and grants to those districts specified powers. Existing law permits a district to acquire, control, distribute, store, spread, sink, treat, purify, recycle, recapture, and salvage any water for the beneficial use of the district, its inhabitants, or the owners of rights to water in the district.

Existing law, the California Safe Drinking Water Act, provides for the operation of public water systems, and imposes on the State Department of Public Health various responsibilities and duties. Existing law requires the department to conduct research, studies, and demonstration projects relating to the provision of a dependable, safe supply of drinking water, to adopt regulations to implement the California Safe Drinking Water Act, and to enforce provisions of the federal Safe Drinking Water Act.

This bill would exempt the Elsinore Valley Municipal Water District, the Eastern Municipal Water District, the Western Municipal Water District, and the Metropolitan Water District of Southern California from liability, as prescribed, for claims by past or existing County Water Company of Riverside customers or those who consumed water provided through the County Water Company of Riverside water system prior to and during the interim operation period, as specified. The bill would prohibit the immunity from liability from being construed to relieve any water district, water wholesaler, or any other entity from compliance with drinking water standards, impair any cause of action or proceeding brought by specified public entities, or impair claims alleging the taking of property without compensation. The bill would require the interim operation period to last until permanent replacement facilities are accepted by the Elsinore Valley Municipal Water District and the Eastern Municipal Water District with the concurrence of the department or December 31, 2015, whichever occurs first. The bill would require the department to extend the interim operation period for up to 3 successive one-year periods at the request of the Elsinore Valley Municipal Water District and the Eastern Municipal Water District, as prescribed.

(2) This bill would make legislative findings and declarations as to the necessity of a special statute with regard to the customers of the County Water Company of Riverside.

(3) This bill would declare that it is to take effect immediately as an urgency statute.

The people of the State of California do enact as follows:

SECTION 1. (a) The Legislature finds and declares that the provisions of this act are precisely tailored to address the unique circumstances facing the customers of the County Water Company of Riverside.

(b) The Legislature further finds and declares that the provisions of this act are not intended to apply to other water districts because the limitations on liability within the act reflect the unique circumstances facing the customers of the County Water Company of Riverside.

SEC. 2. Section 71760 is added to the Water Code, to read:

71760. (a) (1) The Elsinore Valley Municipal Water District and the Eastern Municipal Water District shall not be held liable for claims by past or existing County Water Company of Riverside customers or those who consumed water provided through the County Water Company of Riverside water system concerning the operation and supply of water from the County Water Company of Riverside water system during the interim operation period specified in subdivision (c) for any good faith, reasonable effort using ordinary care to assume possession of, to operate, or to supply water to the County Water Company of Riverside water system.

(2) The Elsinore Valley Municipal Water District and the Eastern Municipal Water District shall not be held liable for claims by past or existing County Water Company of Riverside customers or by those who consumed water provided through the County Water Company of Riverside water system for any injury that occurred prior to the commencement of the interim operation period specified in subdivision (c).

(b) (1) (A) The Western Municipal Water District and the Metropolitan Water District of Southern California shall not be held liable for claims by past or existing County Water Company of Riverside customers or by those who consumed water provided through the County Water Company of Riverside water system concerning the provision of supplemental imported water supplies to the County Water Company of Riverside water system during the interim operation period specified in subdivision (c) for any good faith, reasonable effort using ordinary care to supply water to the County Water Company of Riverside water system.

(B) The Western Municipal Water District and the Metropolitan Water District of Southern California shall not be held liable for claims by past or existing County Water Company of Riverside customers or by those who consumed water provided through the County Water Company of Riverside water system concerning the operation and supply of water from the County Water Company of Riverside water system for any injury that occurred

prior to the commencement of the interim operation period specified in subdivision (c).

(2) This subdivision shall only apply if the water supplied by the Western Municipal Water District and the Metropolitan Water District of Southern California through the temporary potable service pipeline to the County Water Company of Riverside water system meets or exceeds federal and state drinking water quality standards.

(c) (1) The interim operation period shall commence upon the connection of a temporary potable service pipeline by either the Elsinore Valley Municipal Water District or the Eastern Municipal Water District to the County Water Company of Riverside water system, or upon the execution of an agreement between the Elsinore Valley Municipal Water District, the Eastern Municipal Water District, the County Water Company of Riverside, and any other signatories to provide service to the customers of the County Water Company of Riverside, whichever occurs first.

(2) (A) Except as provided in subparagraph (B), the interim operation period shall last until permanent replacement facilities are accepted by the Elsinore Valley Municipal Water District and the Eastern Municipal Water District with the concurrence of the State Department of Public Health or December 31, 2015, whichever occurs first.

(B) Upon the showing of good cause, the interim operation period shall be extended by the State Department of Public Health for up to three successive one-year periods at the request of the Elsinore Valley Municipal Water District and the Eastern Municipal Water District.

(3) The acceptance date of permanent replacement facilities shall be publicly noticed by the Elsinore Valley Municipal Water District and the Eastern Municipal Water District.

(d) Subdivision (a) shall only apply if the Elsinore Valley Municipal Water District and the Eastern Municipal Water District provide water to the County Water Company of Riverside water system in accordance with all of the following conditions:

(1) The Elsinore Valley Municipal Water District and the Eastern Municipal Water District shall comply with the special terms and conditions established by the State Department of Public Health for safe drinking water emergency funding pursuant to Section 75021 of the Public Resources Code for the interim operation period.

(2) Water provided by the Elsinore Valley Municipal Water District and the Eastern Municipal Water District through the temporary potable service pipeline to the County Water Company of Riverside water system shall meet or exceed federal and state drinking water quality standards.

(3) Reasonable water system flow and pressure through the temporary potable service pipeline shall be maintained during the interim operation period based upon the condition and integrity of the existing County Water Company of Riverside water system and any disruptions to water delivery resulting from construction related activities associated with the installation of permanent replacement facilities shall be minimal.

(4) The Elsinore Valley Municipal Water District and the Eastern Municipal Water District shall notify Riverside County fire officials serving the County Water Company of Riverside service area of the condition and firefighting support capabilities of the existing County Water Company of Riverside water system and planned improvements with the installation of permanent replacement facilities thereto. The Elsinore Valley Municipal Water District and the Eastern Municipal Water District shall maintain or improve the condition and firefighting support capabilities of the existing County Water Company of Riverside water system during the interim operation period.

(5) Customers of the County Water Company of Riverside shall receive written notice upon any change in possession, control, or operation of the water system.

(e) Nothing in this section shall be construed to do any of the following:

(1) Relieve any water district, water wholesaler, or any other entity from complying with any provision of federal or state law pertaining to drinking water quality.

(2) Impair any cause of action by the Attorney General, a district attorney, a city attorney, or any other public prosecutor, or impair any other action or proceeding brought by or on behalf of a regulatory agency.

(3) Impair any claim alleging the taking of property without compensation within the meaning of either the Fifth Amendment to the United States Constitution or Section 19 of Article I of the California Constitution.

SEC. 3. The Legislature finds and declares that a special law is necessary and that a general law cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution because of the unique circumstances facing the customers of the County Water Company of Riverside.

SEC. 4. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to provide safe drinking water that is always reliable for current customers of the County Water Company of Riverside at the earliest possible date, it is necessary that this act take effect immediately.