

Central Services
Joan Araujo, Director

Engineering Services
James O'Tousa, Director

Roads & Transportation
Anitha Balan, Director

Water & Sanitation
Joseph Pope, Director

Watershed Protection
Vacant, Director

January 23, 2024

Board of Supervisors
Ventura County Watershed Protection District
800 South Victoria Avenue
Ventura, CA 93009

Subject: **Approval of, and Authorization for the Director of Public Works or Designee to Execute, a Right of Way Contract and Easement Deed for a Permanent Non-Exclusive Access Easement from Ventura County Watershed Protection District to Ventura County Transportation Commission for the Simi Valley Double Track and Platform Project (Project) Over an Existing District Access Road in the City of Simi Valley; Review and Consider the Metrolink Environmental Impact Report for the Project and Make Related Findings; Ventura County Watershed Protection District Zone 3; Supervisorial District 4.**

Recommendations:

1. Certify that the Ventura County Watershed Protection District (District), as responsible agency under the California Environmental Quality Act (CEQA), has reviewed and considered the Final Environmental Impact Report (FEIR), together with the Draft Environmental Impact Report and Appendices, for the Simi Valley Double Track Project (Project) (Exhibit 1), prepared by the Southern California Regional Rail Authority (Metrolink) as lead agency for the Project under CEQA.
2. Find that none of the conditions have occurred set forth in CEQA Guidelines section 15162 to require the preparation of a supplemental or subsequent EIR.
3. Find that there are no Project alternatives or feasible mitigation measures for the District to adopt pursuant to CEQA Guidelines section 15096(g) that are within the District's jurisdictional authority.
4. Find that there are no Project findings for the District to adopt pursuant to CEQA Guidelines section 15096(h) because no Project significant environmental effects as identified in the FEIR are within the District's jurisdictional authority.



5. Approve and authorize the Director of Public Works or designee to execute the Right of Way Contract and Easement Deed for a Permanent Non-Exclusive Access Easement from the District to Ventura County Transportation Commission (Exhibit 7) for the Project.
6. Direct the Director of Public Works or designee to file a Notice of Determination for the approval of the Right of Way Contract and Permanent Non-Exclusive Access Easement Deed.
7. Specify that the Clerk of the Board is the custodian, and 800 S. Victoria Avenue, Ventura, CA 93009 is the location, of the documents and materials that constitute the administrative record of the proceedings upon which the foregoing decisions are based.

Fiscal/Mandates Impact:

Mandatory: No
Source of Funding: None
Funding Match Required: No
Impact on Other Department(s): None

Summary of Revenue and Total Costs:

	<u>FY 2023-24</u>	<u>FY 2024-25</u>
Revenue:	\$ 111,000	\$ 0
Costs:		
Direct	\$ 0	\$ 0
Indirect – Agency/Dept.		
Indirect – County CAP		
Total Costs	\$ 0	\$ 0
Net Costs	\$ (111,000)	\$ 0
Recovered Indirect Costs	\$ 0	\$ 0



Current Fiscal Year (FY) Budget Projections:

Current FY 2023-24 Budget Projection for Zone 3 - Unit 4231				
	Adopted Budget	Adjusted Budget	Projected Budget	Estimated Savings/(Deficit)
Appropriations	\$5,709,275	\$5,818,950	\$5,818,950	\$ 0
Revenue	\$10,025,700	\$10,025,700	\$10,025,700	\$ 0
Net Cost	(\$4,316,425)	(\$4,206,750)	(\$4,206,750)	\$ 0

Sufficient appropriations and revenue are included in the FY 2023-24 Watershed Protection District Zone 3 Adjusted Budget.

Discussion:

Ventura County Transportation Commission (VCTC) is partnering with the Southern California Regional Rail Authority (Metrolink) to construct the Simi Valley Double Track and Platform Project (Project) to support Metrolink's SCORE (Southern California Optimized Rail Expansion) program. The SCORE program will provide additional capacity for train operations and improve safety and reliability of the system.

On July 23, 2021, Metrolink, as the California Environmental Quality Act (CEQA) lead agency for the Project, certified the Final Environmental Impact Report (FEIR) for the Project and made other Project-related findings required by the CEQA. The FEIR described land acquisition from the Ventura County Watershed Protection District (District) at Hidden Ranch Road as a component of the Project and identified Ventura County agencies as CEQA "responsible agencies" having discretionary approval authority over the Project. On December 3, 2021, VCTC authorized Metrolink to pursue necessary property acquisitions for the Project.

In order to construct the Project, VCTC proposes purchasing from the District a 4,527 square foot permanent non-exclusive access easement located at the northerly side of Hidden Ranch Drive and southerly of the railroad tracks in the city of Simi Valley and identified by the Ventura County Assessor as Assessor Parcel Number 644-0-210-125 (Exhibits 5 and 6). The proposed non-exclusive access easement is more particularly described and depicted in the attached legal description and plat map in the exhibits to Exhibit 7.



This proposed non-exclusive access easement would provide VCTC with rights of ingress and egress over an existing District access road and would not interfere with the current or prospective use by the District.

Sharon Hennessey, a licensed real estate appraiser with Hennessey & Hennessey LLC, a California limited liability company, has inspected and appraised the proposed non-exclusive access easement for the purpose of determining its fair market value. Based on her appraisal, VCTC has determined that the just compensation for the proposed non-exclusive access easement is One Hundred and Eleven Thousand Dollars (\$111,000.00). The Ventura County Real Estate Services Division of Public Works has reviewed the appraisal and proposal and determined it to be acceptable just compensation for the proposed non-exclusive access easement.

A copy of the Right of Way Contract and Permanent Non-Exclusive Access Easement Deed for the proposed non-exclusive access easement from the District to VCTC for the Project are attached as Exhibit 7.

Integration of Strategic Plan Priorities

The VCTC/Metrolink project for which this permanent non-exclusive access easement is required will provide additional capacity for train operations and improve safety and reliability of the system. This project is in line with the County's strategic plan's priority to provide robust infrastructure, facilities, technology, and land-use sustainable communities and its goal of sustainable infrastructure, renewable energy, and preservation of our natural resources.

This item has been reviewed by the County Executive Office, the Auditor-Controller's Office, and County Counsel.

If you have any questions concerning this item, please contact George Andrade at (805) 654-2402, or the undersigned at 654-2084.

Sincerely,



Joan Araujo
Director, Central Services Department



Attachments:

- Exhibit 1 – Metrolink's Final Environmental Impact Report for the Simi Valley Double Track Project (together with the Draft Environmental Impact Report and Appendices)
- Exhibit 2 – Metrolink's Findings (regarding significant impacts, mitigation measures and project alternatives)
- Exhibit 3 – Metrolink's Statement of Overriding Considerations
- Exhibit 4 – Metrolink's Mitigation Monitoring Program
- Exhibit 5 – Vicinity Map
- Exhibit 6 – Site Map
- Exhibit 7 – Right of Way Contract w/ Easement Deed (Exhibit A)

