

**SUBMITTAL TO THE FLOOD CONTROL AND WATER CONSERVATION DISTRICT BOARD
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

523 B



FROM: General Manager-Chief Engineer

SUBMITTAL DATE:
October 23, 2007

SUBJECT: Warm Springs Valley – French Valley Channel, Stage 2
Project No. 7-0-0205, Tract No. 30069
Cooperative Agreement – Amendment No. 1

RECOMMENDED MOTION:

Approve Amendment No. 1 to the Cooperative Agreement between the District, the County of Riverside, Valley-Wide Recreation and Park District and Brookfield Land Company, Inc., (Developer) which amends the Cooperative Agreement entered into by the Parties on November 4, 2003.

BACKGROUND:

On November 4, 2003, the Parties entered into an Agreement concerning the construction, operation and maintenance of certain flood control facilities as well as certain road improvements related to the development of Tract No. 30069.

Continued on Page 2.

AAM:bjj

WARREN D. WILLIAMS
General Manager-Chief Engineer

FINANCIAL DATA

Current F.Y. District Cost:	N/A	In Current Year Budget:	N/A
Current F.Y. County Cost:	N/A	Budget Adjustment:	N/A
Annual Net District Cost:	N/A	For Fiscal Year:	N/A

SOURCE OF FUNDS: N/A

Positions To Be Deleted Per A-30	<input type="checkbox"/>
Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION:

APPROVE

BY: Alex Gann
Alex Gann

County Executive Office Signature

- Policy
- Consent
- Policy
- Consent

Dept't Recomm.:
Per Exec. Ofc.:

Prev. Agn. Ref.: 11.2, 11/04/03 | District: 3rd | Agenda Number:

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

11.1

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BACKGROUND contd.:

Developer was required to secure at its sole cost and expense, all necessary licenses, agreements, permits and right of entry as may be needed for construction, inspection, operation and maintenance of certain flood control facilities.

District has received and reviewed certain regulatory permits/agreements/certifications from the U.S. Army Corps of Engineers, the California Department of Fish and Game, and the California Regional Water Quality Control Board (San Diego Region) and has determined that they do not provide the District with sufficient authority to operate and maintain the flood control facilities constructed by Developer. Additionally, the permits contain inconsistencies in their terms and conditions.

The purpose of this 1st Amendment to the Cooperative Agreement is to facilitate necessary revisions to the regulatory permits and ensure their compliance.

AAM:bjj