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**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



FROM: Economic Development Agency

SUBMITTAL DATE:
September 23, 2010

SUBJECT: Design of Slope Armor Protection for the Larry D. Smith Correctional Facility Expansion No. 3
- In-Principle

RECOMMENDED MOTION: That the Board of Supervisors approve In-Principle the design of slope armor protection along the northern bank of Smith Creek for the protection of the Larry D. Smith Correctional Facility Expansion No. 3.

BACKGROUND: On February 5, 2008, the Board of Supervisors approved the award of \$62,608,000 to Bernards Brothers, Inc., for the construction of the Larry D. Smith Correctional Facility Expansion No. 3. Since that time, there have been several significant rain events that have eroded the adjacent northern bank of Smith Creek. Thus, the design of slope armor protection for a portion of the north bank of Smith Creek is the necessary first step to protect the County's newest jail expansion at the Larry D. Smith Correctional Facility.

(Continued)

Robert Field

Robert Field
Assistant County Executive Officer/EDA

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 0	In Current Year Budget:	Yes
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	No
	Annual Net County Cost:	\$ 0	For Fiscal Year:	2010/11

COMPANION ITEM ON BOARD OF DIRECTORS AGENDA: No

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

C.E.O. RECOMMENDATION:

APPROVE

BY: *Jennifer I. Sargent*
Jennifer I. Sargent

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Benoit, seconded by Supervisor Stone and duly carried, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Buster, Stone, Benoit and Ashley
Nays: None
Absent: Tavaglione
Date: November 2, 2010
xc: EDA, CIP

Kecia Harper-Ihem
Clerk of the Board
By: *Kecia Harper-Ihem*
Deputy

Prev. Agn. Ref.: 3.20, 2/5/08; 3.54, 7/31/07

District: 5

Agenda Number:

3.61

Reviewed by
CP TEAM
Christopher Hans
Christopher Hans
Departmental Concurrence

FORM APPROVED COUNTY COUNSEL
BY: *Anita C. Willis*
ANITA C. WILLIS
DATE: 9-21-10
Departmental Concurrence

Dep't Recomm.: Consent Policy

Per Exec. Ofc.: Consent Policy

BACKGROUND: (Continued)

Based upon current case law as it relates to regulatory permitting, it is likely that Smith Creek and its associated embankments are under the jurisdiction of the following entities: Army Corps of Engineers under the provisions set forth under Section 404 of the federal Clean Water Act; the State Water Resources Control Board under Section 401 of the federal Clean Water Act; and the California Department of Fish and Game under Section 1602 of the California Fish and Game Code. Because of the long lead times required to obtain proper permits from the aforementioned regulatory entities, the decision was made to continue the construction based upon the previously approved plans and specifications as adopted by the Board on July 31, 2007, with the intent of subsequently designing and constructing the necessary slope protection in compliance with federal and state environmental regulations.

Additionally, it is the objective of Economic Development Agency to ensure that the project is designed and constructed to the standards of the Riverside County Flood Control and Water Conservation District (District) for proper conveyance of maintenance responsibilities. The District has agreed to plan review and inspection of the project when necessary. Estimates for these services by the District are provided below in addition to the other required expenses for the design of the project.

ESTIMATED FINANCIAL DATA:

Design	\$ 100,000
CEQA/MSHCP/Regulatory Permitting	\$ 50,000
Project Management	\$ 25,000
District Inspections	\$ 50,000
District Plan Review	\$ 30,000
Contingency	\$ 25,000
Total:	\$ 280,000

Once funding is identified, the department will return to the Board with an agreement for design services.