

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



ITEM: 11.3
(ID # 14116)

MEETING DATE:
Tuesday, January 12, 2021

FROM : FLOOD CONTROL DISTRICT:

SUBJECT: FLOOD CONTROL DISTRICT: Approval of Amendment Number 1 to the Local Cooperation Agreement Among the Department of the Army, Orange County Flood Control District, San Bernardino County Flood Control District, and Riverside County Flood Control and Water Conservation District for Construction for the Santa Ana River Mainstem, Including Santiago Creek, California Flood Control Project, Approval of Certification Regarding Lobbying and Certificate of Authority, Nothing Further is Required Under CEQA, District 2. [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Find that nothing further is required under the California Environmental Quality Act (CEQA) because all potentially significant effects have been adequately analyzed in an earlier certified Final Supplemental Environmental Impact Statement (FSEIS)/Environmental Impact Report (EIR) and associated addenda; and
2. Approve Amendment Number 1 (Amendment) to the Local Cooperation Agreement (LCA), and authorize the Chairwoman to execute the Amendment on behalf of the Riverside County Flood Control and Water Conservation District (District); and

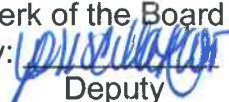
ACTION:

Jason Uhley, GENERAL MGR-CHF FLD CNTRL ENG 12/28/2020

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Jeffries, seconded by Supervisor Hewitt and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt
Nays: None
Absent: None
Date: January 12, 2021
xc: Flood

Kecia R. Harper
Clerk of the Board
By: 
Deputy

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

3. Approve the Certification Regarding Lobbying (Certification), and authorize the Chairwoman to sign the Certification on behalf of the District; and
4. Approve the Certificate of Authority (Certificate), and authorize County Counsel to sign the Certificate on behalf of the District; and
5. Direct the Clerk of the Board to return eight (8) copies of the fully executed documents described herein to the District.

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 0	\$ 0	\$ 0	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS: N/A			Budget Adjustment: N/A	
			For Fiscal Year: N/A	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

On December 19, 1989, the Board of Supervisors approved the LCA to allow for the construction of the Santa Ana River Mainstem Project (Project) (Agenda Item 7-8).

On July 13, 1993, the Board of Supervisors approved the First Modification to the LCA (Agenda Item 9-1) resulting in an amended LCA addressing costs associated with hazardous substances should hazardous substances be encountered.

On February 11, 2003, the Board of Supervisors approved the Second Modification to the LCA (Agenda Item 11.6) resulting in the removal of the Prado Dam feature from the LCA and making it a separable element of the Project.

This Amendment Number 1 will enable the Department of the Army to complete the Reach 9 Environmental Work and the Close Out Actions related to the Project. The Environmental Mitigation and Monitoring includes features in Riverside County such as Phase 2A, 2B, BNSF Noise Mitigation, Oak Tree Planting, Arundo mitigation, Least Bell Vireo monitoring, cowbird trapping, wildlife corridor monitoring, environmental compliance and adaptive management efforts.

Prev. Agn. Ref.: 7-8 of 12/19/89
 7-1 of 12/19/89
 9-1 of 07/13/93
 11.6 of 02/11/03
 11.7 of 06/14/11
 MT 4492, 11.2 of 06/20/17

**SUBMITTAL TO THE FLOOD CONTROL AND WATER CONSERVATION DISTRICT BOARD
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Environmental Findings

Pursuant to CEQA, three (3) FSEIS were certified by the Board on December 12, 1989 [Agenda Item No. 7.1], which authorized the District to proceed with the Project and participate in the LCA. An FSEIS/EIR (SCH# 97071087) to the FSEIS was also certified by the Board on June 14, 2011 [Agenda Item No. 11.7]. In addition, an Addendum to the FSEIS/EIR was considered and accepted by the Board on June 14, 2011 [Agenda Item No. 11.7] to address minor changes to Reach 9 Phase 2A, and two Addenda to the FSEIS/EIR were considered and accepted by the Board on June 20, 2017 [Agenda Item No. 11.2] to address the Burlington Northern and Santa Fe Bridge project. All potentially significant effects have been adequately analyzed in these documents. Approval and execution of Amendment Number 1 to the LCA will not introduce new impacts and will not trigger any of the criteria described in Section 15162 of the CEQA Guidelines calling for the preparation of a subsequent EIR. Therefore, nothing further is required under CEQA.

Impact on Residents and Businesses

No new costs will be incurred under this Amendment. Upon construction completion, the Project will extend the flood risk management to areas within the watershed that are susceptible to flooding during storm events ranging from 100-year through 190-year frequencies. It is estimated that millions of people, numerous businesses and valuable infrastructure will benefit from the Project's improvements.

ATTACHMENTS:

1. Amendment Number 1 to the LCA
2. Addendum to Project PMP for LCA A1 (2018 BBA Funds)
3. Certificate of Authority
4. Certification Regarding Lobbying

BB:rlp
P8/235701


Scott Bruckner 1/4/2021


Gregory L. Priamos, Director County Counsel 12/29/2020

AMENDMENT NUMBER 1
TO THE
LOCAL COOPERATION AGREEMENT
AMONG THE DEPARTMENT OF THE ARMY,
ORANGE COUNTY FLOOD CONTROL DISTRICT,
SAN BERNARDINO COUNTY FLOOD CONTROL DISTRICT, AND
RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT
FOR CONSTRUCTION OF THE
SANTA ANA RIVER MAINSTEM, INCLUDING SANTIAGO CREEK,
CALIFORNIA FLOOD CONTROL PROJECT

This Amendment Number 1 is entered into this 28 day of January, 2021, by and between the Department of the Army (hereinafter the "Government"), represented by the District Commander for the Los Angeles District and the Santa Ana River Mainstem sponsors, comprised of the Orange County Flood Control District (hereinafter referred to as "Orange"), represented by the Chair of the Board of Supervisors of the County of Orange, Riverside County Flood Control and Water Conservation District (hereinafter referred to as "Riverside"), represented by the Chairwoman of the Board of Supervisors, and the San Bernardino County Flood Control District (hereinafter referred to as "San Bernardino"), represented by the Chairman of the Board of Supervisors of the County of San Bernardino (hereinafter collectively referred to as the "Sponsors").

WITNESSETH, THAT:

WHEREAS, construction of the Santa Ana River Mainstem, including Santiago Creek, California project was authorized by Section 401(a) of the Water Resources Development Act of 1986, Public Law 99-662, as amended;

WHEREAS, the Government and the Sponsors entered into a Local Cooperation Agreement on December 14, 1989, that was modified on January 4, 1994 (First Modification), June 21, 1994 (Supplement No. 1), April 12, 2001 (Supplement No. 2), and February 24, 2003 (Second Modification, deleting the Prado Dam feature, which is covered in a separate project cooperation agreement) (hereinafter collectively referred to as the "Agreement"), for construction of the Santa Ana River Mainstem, including Santiago Creek, California project (hereinafter the "Project", as defined in Article I.A. of the Agreement), with many features of the Project now having been completed;

WHEREAS, the Corps has initiated additional analysis on the Santiago Creek feature, which is not ready for construction as of the date of this Amendment, and construction of that feature is not addressed by this Amendment;

WHEREAS, to the extent funding provided in Title IV, Division B of the Bipartisan Budget Act of 2018, Public Law 115-123, enacted February 9, 2018 (hereinafter "BBA 2018") is available and used for such purpose, the Government will complete the Reach 9 Environmental Work and the Close Out Actions related to the Project (hereinafter the "BBA 2018 Work") as

referenced in the Project Management Plan addendum prepared by the Government dated December 2, 2020, estimated at \$ 35,571,000, at full Federal expense;

WHEREAS, the Santa Ana River Mainstem project was not included in the President's Budget for Federal Fiscal Years 2020 and 2021;

WHEREAS, the Government and the Sponsors acknowledge that no additional lands, easements, rights-of-way, relocations, or improvements to lands, easements, and rights-of-way to enable the disposal of dredged or excavated material are required for completion of the BBA 2018 Work;

WHEREAS, work previously approved for funding with non-BBA 2018 funds shall be completed with non-BBA 2018 funds and shall be subject to the cost-sharing otherwise provided for in the Agreement; and

WHEREAS, the provisions of Section 902 of the Water Resources Development Act of 1986, as amended, do not apply to the funds provided in BBA 2018 that will be used for completing the BBA 2018 Work.

NOW, THEREFORE, the Government and the Sponsors agree to amend the Agreement as follows:

1. Insert after the fourth WHEREAS clause the following:

"WHEREAS, to the extent funding provided in Title IV, Division B of the Bipartisan Budget Act of 2018, Public Law 115-123, enacted February 9, 2018 (hereinafter "BBA 2018") is available and used for such purpose, the Government will complete the Reach 9 Environmental Work and the Close Out Actions related to the Project (hereinafter the "BBA 2018 Work") as referenced in the Project Management Plan addendum prepared by the Government dated December 2, 2020, estimated at \$35,571,000, at full Federal expense;"

2. Insert as the last Article the following:

"ARTICLE XXV – COMPLETION OF THE BBA 2018 WORK

Notwithstanding any other provisions of this Agreement, the Government shall complete the BBA 2018 Work at full Federal expense to the extent that BBA 2018 funds are available and used for such purpose in accordance with the following provisions:

A. As of the effective date of Amendment Number 1 to this Agreement, the total amount of BBA 2018 funds available for the BBA 2018 Work is estimated at \$35,571,000. Any costs funded with BBA 2018 funds shall not be included in the calculation of total project costs for cost-sharing purposes.

B. Subject to the availability of BBA 2018 funds, the Government shall reimburse the Sponsors for costs, documented to the satisfaction of the Government, that the Sponsors incur for

the BBA 2018 Work, after the effective date of Amendment Number 1 to this Agreement, for investigations for hazardous substances conducted pursuant to Article X.A.

C. The provisions of Article XVIII regarding the Section 902 project cost limits do not apply to the funds provided in BBA 2018 that are used for completing the BBA 2018 Work.

D. The Sponsors shall be responsible solely for any costs they incur, after the effective date of Amendment Number 1 to this Agreement, for participation in any Project Coordination Team established by the Government and Sponsors to discuss significant issues or actions in the delivery of the BBA 2018 Work and for conducting audits for the BBA 2018 Work, without credit or reimbursement by the Government.

E. In the event that there are insufficient BBA 2018 funds to complete the BBA 2018 Work, such completion shall be subject to cost-sharing as otherwise provided for in the Agreement.

F. Nothing in this Article affects the responsibility of the Sponsors for operation, maintenance, repair, replacement, and rehabilitation of the Project as provided in Article VIII and for indemnification as provided in Article IX.

G. Except as provided in Article XXV.B., nothing in this Article affects the responsibilities of the parties regarding hazardous substances as provided in Article X.


H. BBA 2018 funds shall not be used to provide reimbursements for any contributions provided by the Sponsors that exceed its cost share for work that has been or will be completed with other than BBA 2018 funds.”

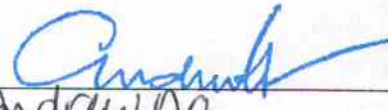
3. All other terms and conditions of the Agreement remain unchanged, and nothing in this Amendment affects the status of Santiago Creek as an authorized feature of the Project.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment Number 1 which shall become effective upon the date it is signed by the District Commander.

DEPARTMENT OF THE ARMY

ORANGE COUNTY FLOOD CONTROL DISTRICT

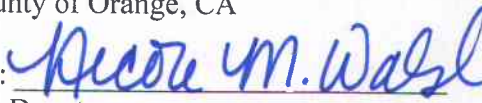
BY: 
JULIE A. BALTEN
Colonel, US Army
District Commander

BY: 
Andrew Do
Chair, Board of Supervisors
Orange County, California

DATE: 1/28/2021

DATE: 1-12-21

APPROVED AS TO FORM:
Office of the County Counsel
County of Orange, CA

BY: 
Deputy

DATE: 12/8/2020

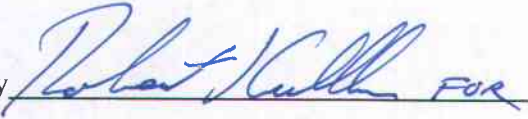
Signed and certified that a copy of this Agreement has been delivered to the Chairwoman of the Board per G.C. Sec. 25103, Resolution 79-1535

ATTEST:

BY: 
Clerk of the Board of Supervisors
County of Orange

RECOMMENDED FOR APPROVAL:

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

By 

JASON E. UHLEY
General Manager-Chief Engineer

By 

KAREN SPIEGEL
Chairwoman, Board of Supervisors

APPROVED AS TO FORM:

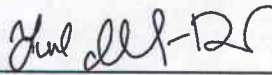
ATTEST:

GREGORY P. PRIAMOS

County Counsel

KECIA R. HARPER

Clerk to the Board

By 

LEILA MOSHREF-DANESH
Deputy County Counsel

By 

(SEAL)

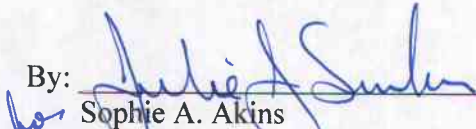
SAN BERNARDINO COUNTY FLOOD
CONTROL DISTRICT

▶ 
Curt Hagman Board Chairman

Dated: _____
SIGNED AND CERTIFIED THAT A
COPY OF THIS DOCUMENT HAS
BEEN DELIVERED TO THE
CHAIRMAN OF THE BOARD
Lynna Monell, Clerk of the Board

By: _____


APPROVED AS TO LEGAL FORM:
Michelle D. Blakemore, County Counsel

By: 
Sophie A. Akins
Deputy County Counsel

CERTIFICATION REGARDING LOBBYING

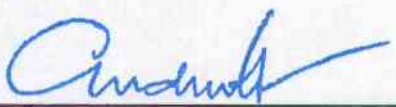
The undersigned certifies, to the best of his or her knowledge and belief that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31 U.S.C. 1352. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.




Andrew Do
Chair, Board of Supervisors

DATE: 1-12-21

FACSIMILE SIGNATURE AUTHORIZED
PER G.C. SEC. 25103, RESO 79-1535
SIGNED AND CERTIFIED THAT A COPY OF
THIS DOCUMENT HAS BEEN DELIVERED
TO THE CHAIR OF THE BOARD



ATTEST:


ROBIN STIELER
CLERK OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

CERTIFICATION REGARDING LOBBYING

The undersigned certifies, to the best of his or her knowledge and belief that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

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Karen S. Spiegel

Karen Spiegel
Chairwoman, Board of Supervisors

DATE: JAN 12 2021

ATTEST:
KECIA R. HARPER, Clerk _____
By *[Signature]* _____
DEPUTY

CERTIFICATION REGARDING LOBBYING

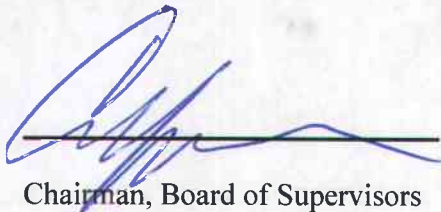
The undersigned certifies, to the best of his or her knowledge and belief that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

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This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31 U.S.C. 1352. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.



Chairman, Board of Supervisors

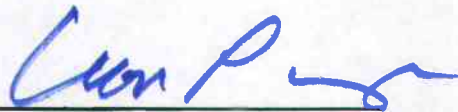
DATE: JAN 05 2021

CERTIFICATE OF AUTHORITY

I, Leon J. Page, do hereby certify that I am the principal County Counsel appointed by the Board of Supervisors of the Orange County Flood Control District, that the Orange County Flood Control District is a legally constituted public body with full authority and legal capability to perform the terms of the Amendment No. 1 among the Department of the Army and the Orange County Flood Control District, San Bernardino County Flood Control District, and Riverside County Flood Control and Water Conservation District in connection with the Santa Ana River Mainstem, including Santiago Creek, California, flood control project, and to pay damages, if necessary, in the event of the failure to perform in accordance with the terms of this Amendment, as required by Section 221 of Public Law 91-611, as amended (42 U.S.C. 1962d-5b), and that the person who executed this Amendment on behalf of the Orange County Flood Control District acted within their statutory authority.

IN WITNESS WHEREOF, I have made and executed this certification this

20th day of January 2021.

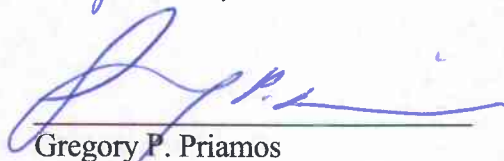


Leon J. Page
County Counsel

CERTIFICATE OF AUTHORITY

I, Gregory P. Priamos, do hereby certify that I am the principal legal officer for the Riverside County Flood Control and Water Conservation District, that the Riverside County Flood Control and Water Conservation District is a legally constituted public body with full authority and legal capability to perform the terms of the Amendment No. 1 among the Department of the Army and the Orange County Flood Control District, San Bernardino County Flood Control District, and Riverside County Flood Control and Water Conservation District in connection with the Santa Ana River Mainstem, including Santiago Creek, California, flood control project, and to pay damages, if necessary, in the event of the failure to perform in accordance with the terms of this Amendment, as required by Section 221 of Public Law 91-611, as amended (42 U.S.C. 1962d-5b), and that the person who executed this Amendment on behalf of the Riverside County Flood Control and Water Conservation District acted within her statutory authority.

IN WITNESS WHEREOF, I have made and executed this certification this
14 day of January 2021.



Gregory P. Priamos
County Counsel
Riverside County Flood Control and Water Conservation District

Addendum to Project PMP and work descriptions for BBA work defined in LCA Amendment Number 1.

This document generally defines the scope of work and outlines intended efforts for the Bipartisan Budget Act (BBA) of 2018 funding for the Santa Ana River Mainstem (SARM) Project addressed in LCA Amendment Number 1. The intent is to complete these efforts with 100% BBA funds to the extent they are available and used for such purpose.

The BBA work generally consists of the following environmental work and close out work:

- Environmental work. This is composed of compliance, monitoring and mitigation including noise mitigation, oak tree planting, Arundo mitigation, least Bell's vireo monitoring, cowbird trapping, wildlife corridor monitoring, environmental compliance, and adaptive management during the construction phase. Environmental mitigation work by the Corps using BBA funds will include restoration at compensatory mitigation sites, including initial planting and an establishment period for achievement of success criteria. After the establishment period, the sites will be transferred to the relevant sponsor for long term operation and maintenance. Environmental work by the Corps using BBA funds will also include reseeding and/or replanting of temporary impact areas at the site of feature construction. Contracts will include a one-year warranty period. Subsequent to the warranty period, the relevant sponsor will be responsible for operation and maintenance including weeding and other site maintenance activities for a prescribed period.
- Close-out work. BBA funds will also be used for closeout activities for the project features, including development of final notices of completion, breakdown of the Prado field office, contract research and reconciliation, final crediting, audits, and other necessary documentation and project management to support fiscal completion of the project.

Work efforts below show an estimate of the BBA funds that will be used and how they use will benefit each sponsor. In the event that there are insufficient BBA 2018 funds to complete the BBA 2018 Work, such completion shall be subject to cost-sharing as otherwise provided for in the LCA. The estimates below do not amend or modify the provisions of the LCA.

San Bernardino County

BBA funds will be used to complete environmental compliance, monitoring, and mitigation and close out activities. For San Bernardino County, environmental work includes Phase 2B noise mitigation, oak tree planting, Arundo mitigation, least Bell's vireo monitoring, cowbird trapping, wildlife corridor monitoring, environmental compliance and adaptive management during construction. It also includes close-out activities for Mill Creek, San Timoteo, and 7 Oaks Dam. BBA funds will also be used for Reach 9 efforts for final notices of completion, closeout activities for breakdown of the field office, contract research and reconciliation and other necessary documentation and project management to support fiscal completion of the project. The estimate also includes final crediting and audits by the Corps as part of

the final financial reconciliation for San Bernardino's portion of the project for financial close out actions.

Estimated cost: \$1.6 million.

Riverside County

BBA funds will be used to complete environmental mitigation and monitoring for Reach 9 features and close out activities. For Riverside County, environmental work includes features in Riverside County and includes Phase 2A, 2B, and BNSF noise mitigation, oak tree planting, Arundo mitigation, least Bell's vireo monitoring, cowbird trapping, wildlife corridor monitoring, environmental compliance, and adaptive management efforts during construction. BBA funds will also be used for final notices of completion, closeout activities for breakdown of the field office, contract research and reconciliation and other necessary documentation and project management support fiscal completion of the project for the following features: Oak Street Drain, 7 Oaks Dam, and Reach 9 Phases 2A and 2B. The estimate also includes final crediting and Corps audits as part of the final financial reconciliation for Riverside's portion of the project for financial close out actions.

Estimated cost: \$9.3 million

Orange County

BBA funds have been approved to complete environmental mitigation and monitoring for Reach 9 features. For Orange County, this includes Phase 1, 2B, 3, 4, 5A, 5B, noise mitigation, oak tree planting, arundo mitigation, least Bell's vireo monitoring, cowbird trapping, wildlife corridor monitoring, environmental compliance, and adaptive management efforts during construction. BBA funds will also be used for final notices of completion, closeout activities for the field office, contract research and reconciliation and other necessary documentation and project management to support fiscal completion of the project for the following features: 7 Oaks Dam, lower Santa Ana River reaches, Marsh, and remaining Reach 9 efforts. The estimate also includes final crediting and audits by the Corps as part of the final financial reconciliation for Orange County's portion of the project for financial close out actions.

Estimated cost: \$24.7 million

Summary of LCA A1 estimates

SARM - LCA/BBA Estimate of Investment Savings at 25% minimum Cost Share Requirement

Feature/Activity	San B	Riverside	Orange	Total	San B	Riverside	Orange	25% Cost Share			Total Savings
								San B	Riverside	Orange	
Reach 9 Phase 2A Environ	0.0%	100.0%	0.0%	\$30,000	\$0	\$30,000	\$0	\$0	\$7,500	\$0	\$7,500
Reach 9 Phase 2B Environ	0.6%	38.0%	61.5%	\$30,000	\$165	\$11,400	\$18,435	\$41	\$2,850	\$4,609	\$7,500
Reach 9 Phase 3 Environ	0.0%	0.0%	100.0%	\$350,000	\$0	\$0	\$350,000	\$0	\$0	\$87,500	\$87,500
Reach 9 Phase 4 Environ	0.0%	0.0%	100.0%	\$110,000	\$0	\$0	\$110,000	\$0	\$0	\$27,500	\$27,500
Reach 9 Phase 5A Environ	0.0%	0.0%	100.0%	\$100,000	\$0	\$0	\$100,000	\$0	\$0	\$25,000	\$25,000
Reach 9 Phase 5B Environ	0.0%	0.0%	100.0%	\$500,000	\$0	\$0	\$500,000	\$0	\$0	\$125,000	\$125,000
Reach 9 BNSF Environ	0.0%	95.0%	5.0%	\$5,500,000	\$0	\$5,225,000	\$275,000	\$0	\$1,306,250	\$68,750	\$1,375,000
Reach 9 Environ (Misc)	0.1%	19.6%	80.3%	\$12,000,000	\$12,000	\$2,352,000	\$9,636,000	\$3,000	\$588,000	\$2,409,000	\$3,000,000
Reach 9 Environmental				\$18,620,000	\$12,165	\$7,618,400	\$10,989,435	\$3,041	\$1,904,600	\$2,747,359	\$4,655,000
Reach 9 Close out	0.1%	19.6%	80.3%	\$200,000	\$200	\$39,200	\$160,600	\$50	\$9,800	\$40,150	\$50,000
LSAR Close Out	0.0%	0.0%	100.0%	\$100,000	\$0	\$0	\$100,000	\$0	\$0	\$25,000	\$25,000
Seven Oaks Close Out	7.0%	5.3%	87.7%	\$200,000	\$14,060	\$10,540	\$175,400	\$3,515	\$2,635	\$43,850	\$50,000
Mill Creek Close Out	100.0%	0.0%	0.0%	\$100,000	\$100,000	\$0	\$0	\$25,000	\$0	\$0	\$25,000
Oak Street Close Out	0.0%	100.0%	0.0%	\$100,000	\$0	\$100,000	\$0	\$0	\$25,000	\$0	\$25,000
San Timoteo Close Out	100.0%	0.0%	0.0%	\$100,000	\$100,000	\$0	\$0	\$25,000	\$0	\$0	\$25,000
Santiago Creek Close Out	0.0%	0.0%	100.0%	\$100,000	\$0	\$0	\$100,000	\$0	\$0	\$25,000	\$25,000
Environ Close out/Site restore	9.2%	10.0%	80.8%	\$500,000	\$46,000	\$50,000	\$404,000	\$11,500	\$12,500	\$101,000	\$125,000
Cultural Resources Close out	9.2%	10.0%	80.8%	\$100,000	\$9,200	\$10,000	\$80,800	\$2,300	\$2,500	\$20,200	\$25,000
Environ Adaptive Mgt/Monitoring	9.2%	10.0%	80.8%	\$2,400,000	\$220,800	\$240,000	\$1,939,200	\$55,200	\$60,000	\$484,800	\$600,000
Final Audits	9.2%	10.0%	80.8%	\$200,000	\$18,400	\$20,000	\$161,600	\$4,600	\$5,000	\$40,400	\$50,000
Real estate Close out	9.2%	10.0%	80.8%	\$300,000	\$27,600	\$30,000	\$242,400	\$6,900	\$7,500	\$60,600	\$75,000
Eng Rpts	9.2%	10.0%	80.8%	\$2,000,000	\$184,000	\$200,000	\$1,616,000	\$46,000	\$50,000	\$404,000	\$500,000
SARM Proj Mgt	9.2%	10.0%	80.8%	\$3,900,000	\$358,800	\$390,000	\$3,151,200	\$89,700	\$97,500	\$787,800	\$975,000
SARM Project Mgt Facility Services	9.2%	10.0%	80.8%	\$3,000,000	\$276,000	\$300,000	\$2,424,000	\$69,000	\$75,000	\$606,000	\$750,000
Close Out Action/Site Breakdown	9.2%	10.0%	80.8%	\$1,000,000	\$92,000	\$100,000	\$808,000	\$23,000	\$25,000	\$202,000	\$250,000
GSA	9.2%	10.0%	80.8%	\$200,000	\$18,400	\$20,000	\$161,600	\$4,600	\$5,000	\$40,400	\$50,000
CADD	9.2%	10.0%	80.8%	\$200,000	\$18,400	\$20,000	\$161,600	\$4,600	\$5,000	\$40,400	\$50,000
GIS	9.2%	10.0%	80.8%	\$200,000	\$18,400	\$20,000	\$161,600	\$4,600	\$5,000	\$40,400	\$50,000
Contingency	9.2%	10.0%	80.8%	\$896,000	\$82,432	\$89,600	\$723,968	\$20,608	\$22,400	\$180,992	\$224,000
Close-out/Proj Operations				\$15,796,000	\$1,584,692	\$1,639,340	\$12,571,968	\$396,173	\$409,835	\$3,142,992	\$3,949,000
Santiago Creek	0.0%	0.0%	100.0%	\$1,155,000	\$0	\$0	\$1,155,000	\$0	\$0	\$288,750	\$288,750
Grand Totals				\$35,571,000	\$1,596,857	\$9,257,740	\$24,716,403	\$399,214	\$2,314,435	\$6,179,101	\$8,892,750

Notes:

This estimated cost shared savings is based on the 25% minimum Non-Fed cost share requirement from the original LCA Article II para F.

CERTIFICATE OF AUTHORITY

I, Gregory P. Priamos, do hereby certify that I am the principal legal officer for the Riverside County Flood Control and Water Conservation District, that the Riverside County Flood Control and Water Conservation District is a legally constituted public body with full authority and legal capability to perform the terms of the Amendment No. 1 among the Department of the Army and the Orange County Flood Control District, San Bernardino County Flood Control District, and Riverside County Flood Control and Water Conservation District in connection with the Santa Ana River Mainstem, including Santiago Creek, California, flood control project, and to pay damages, if necessary, in the event of the failure to perform in accordance with the terms of this Amendment, as required by Section 221 of Public Law 91-611, as amended (42 U.S.C. 1962d-5b), and that the person who executed this Amendment on behalf of the Riverside County Flood Control and Water Conservation District acted within her statutory authority.

IN WITNESS WHEREOF, I have made and executed this certification this

_____ day of _____ 20__.

Gregory P. Priamos
County Counsel
Riverside County Flood Control and Water Conservation District

CERTIFICATION REGARDING LOBBYING

The undersigned certifies, to the best of his or her knowledge and belief that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31 U.S.C. 1352. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Karen S. Spiegel

Karen Spiegel
Chairwoman, Board of Supervisors

DATE: JAN 12 2021

ATTEST:

KECIA R. HARPER, Clerk

By [Signature]
DEPUTY

Kilgo, Angela

From: Moshref-Danesh, Leila
Sent: Monday, December 21, 2020 5:46 PM
To: Mustafa, Rohini; Isita, Vanessa
Cc: Bradley, Blaire; Rolle, Ann; Kilgo, Angela; Miyasato, Rene
Subject: RE: Outstanding items for CoCo review
Attachments: Amendment No. 2 to Cooperative AG - Moreno MDP (PM35629) - EP 3791_AATF.pdf; Agreement - Salt Creek Evans Rd Silicate Dr (TR28791-792-793)_AATF.pdf; A1 SARM LCA Amendment No.1 revised clean.pdf; 1 - TR 31957 Cooperative Agreement - For Coco Signature.pdf

Hi Rohini,

Please see the attached for the four signed agreements. Thanks and let me know if you have any questions.

Leila

From: Mustafa, Rohini <RoMustaf@rivco.org>
Sent: Monday, December 21, 2020 11:42 AM
To: Isita, Vanessa <Valsita@Rivco.org>; Moshref-Danesh, Leila <LMDanesh@RIVCO.ORG>
Cc: Bradley, Blaire <BBradley@Rivco.org>; Rolle, Ann <amrolle@RIVCO.ORG>; Kilgo, Angela <AKilgo@RIVCO.ORG>; Miyasato, Rene <rmiyasat@rivco.org>
Subject: FW: Outstanding items for CoCo review

Dear Leila,

Please let us know if you will be able to provide the signature for the top three items listed below. We need them today so that we can route them for Jason's signature and upload to Minute Traq by 12/23.

Thank you!

Rohini

From: Mustafa, Rohini
Sent: Thursday, December 17, 2020 12:24 PM
To: Moshref-Danesh, Leila <LMDanesh@RIVCO.ORG>
Cc: Isita, Vanessa <Valsita@RIVCO.ORG>; Bradley, Blaire <BBradley@rivco.org>; Rolle, Ann <amrolle@RIVCO.ORG>; Kilgo, Angela <AKilgo@RIVCO.ORG>; Miyasato, Rene <rmiyasat@rivco.org>
Subject: FW: Outstanding items for CoCo review

Dear Leila:

Hope this email finds you well. Here is the updated list for you. The top 4 items are requesting for your signatures only



Priority	Case	Submitted	RCFC Contact	Need by
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1.	AATF for MT 14166 agreement	12-16-2020	Blaire	Asap – 1/12 BOS date
1.	AATF for MT 14199 and MT 14202 agreement	12-16-2020	Ann	Asap – 1/12 BOS date
1.	AATF for MT 14202 agreement	12-26-2020	Ann	Asap – 1/12 BOS date
1.	AATF for MT 13914	12-17-2020	Blaire	1/26 BOS
2.	Review PM 37528 – Belltown Market Street	12-17-2020	Blaire	12/30
3.	Review updated Developer Template and provide guidance	10-21-2020	Rohini	12/30/20. If you approve the template, we can reduce sending the agreements to you ahead of sending them to city unless there is anomaly.

Thank you,

Rohini S. Mustafa, MPA, PE, QSD
Senior Civil Engineer | Contract Services
**Riverside County Flood Control
and Water Conservation District**
951-955-1282 (Office)
951-315-0568 (Cell)
Office Hours: M-Th: 6:30 am – 5:00 pm