

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



ITEM: 13.1
(ID # 24890)

MEETING DATE:

Tuesday, May 21, 2024

FROM : PARKS DEPARTMENT:

SUBJECT: PARKS DEPARTMENT: Approve Second Amendment to the Cooperative Agreement between the State of California, Department of Fish and Game and the County of Riverside, Parks Department for the Operation and Maintenance of Hidden Valley Wildlife Area; District 2; CEQA Exempt per State CEQA Guidelines Section 15061(b)(3); Clerk to File Notice of Exemption

RECOMMENDED MOTION: That the Board of Supervisors:

1. Find that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15061(3) – Common Sense Exemption;
2. Approve Second Amendment to the Cooperative Agreement between the State of California, Department of Fish and Game and the County of Riverside, Parks Department for the Operation and Maintenance of Hidden Valley Wildlife Area;
3. Authorize the Chairman of the Board to execute the Second Amendment on behalf of the Parks Department;
4. Authorize the General Manager to execute future amendments, as approved by County Counsel, that do not change the intent or purpose of the Agreement and encumber no additional funds;
5. Direct the Clerk of the Board to return three (3) copies of the Second Amendment to the Parks Department; and
6. Direct the Clerk of the Board to file the Notice of Exemption with the Clerk's Office and the State Clearinghouse within five (5) days of approval by the Board.

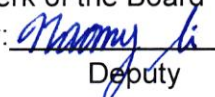
ACTION:Policy


Kyla R. Brown, General Manager 5/3/2024

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Jeffries, Spiegel, Washington, Perez and Gutierrez
Nays: None
Absent: None
Date: May 21, 2024
xc: Parks, Recorder/State Clearinghouse

Kimberly A. Rector
Clerk of the Board
By: 
Deputy

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COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

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:	No
			For Fiscal Year:	23/24

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

On May 28, 1974, County of Riverside, on behalf of its Parks Department (Parks), entered into a cooperative agreement with the State of California, Department of Fish and Wildlife (successor in all interests of the California Department of Fish and Game)(State) for the operation and maintenance of certain real property known as Hidden Valley Wildlife Area. The term of the cooperative agreement is 50 years, expiring May 28, 2024. On October 21, 1975, the cooperative agreement was amended to include additional areas acquired by the State and to further provide for proper development, operation, and maintenance of said wildlife area.

Parks has faithfully operated and maintained Hidden Valley Wildlife Area according to the terms of the cooperative agreement, providing the public with access to outdoor recreation opportunities in natural and semi-natural areas. It is the desire of Parks and the State to continue this agreement, to the benefit of all. The now proposed second amendment to the cooperative agreement extends the expiration date by five (5) years, expiring May 28, 2029. This extension will allow the additional time necessary to negotiate a new long-term agreement with Riverside County Regional Park and Open-District (District).

The Amendment has been approved as to form by County Counsel.

Impact on Residents and Businesses

Approval of this amendment will allow the Parks Department the time necessary to negotiate a new, long-term agreement for the operation and maintenance of Hidden Valley Wildlife Area

Additional Fiscal Information

There is no additional financial impact involved with the approval of this amendment. Operations and maintenance of Hidden Valley Wildlife Area will be conducted by Riverside County Regional Park and Open-Space District (District) and has been fully accounted for in the District's FY24-25 budget.

CEQA Consideration

This activity is covered by the common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. This activity is to extend an existing cooperative agreement for the operation and management of public lands.

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A Notice of Exemption has been prepared.

ATTACHMENTS:

2nd Amendment to Cooperative Agreement
Notice of Exemption


Douglas Cordonez Jr. 5/13/2024


Aaron Gettis, Chief of Deputy County Counsel 5/9/2024

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044
County Clerk
County of: Riverside
4080 Lemon Street
Riverside, CA 92501

From: (Public Agency):
Riverside County Regional Park and Open-Space District
4600 Crestmore Road, Jurupa Valley, CA 92509
(Address)

Project Title: Amendment to Cooperative Agreement for the Operation and Maintenance of Hidden Valley Wildlife Area

Project Applicant: Riverside County Regional Park and Open-Space District

Project Location - Specific:
Hidden Valley Wildlife Area, Unincorporated Western Riverside County

Project Location - City: Project Location - County: Riverside

Description of Nature, Purpose and Beneficiaries of Project:

The proposed project is an amendment to the existing Cooperative Agreement between the State of California, Department of Fish and Game and the County of Riverside, Parks Department for the Operation and Maintenance of Hidden Valley Wildlife Area. This amendment extends the existing Cooperative Agreement for a period of five years.

Name of Public Agency Approving Project: Riverside County Regional Park and Open-Space District

Name of Person or Agency Carrying Out Project: Riverside County Regional Park and Open-Space District

Exempt Status: (check one):

- Ministerial (Sec. 21080(b)(1); 15268);
Declared Emergency (Sec. 21080(b)(3); 15269(a));
Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
Categorical Exemption. State type and section number: Section 15061(3) - Common Sense Exemption
Statutory Exemptions. State code number:

Reasons why project is exempt:

This activity is covered by the common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. This activity is to extend an existing cooperative agreement for the operation and management of public lands.

Lead Agency
Contact Person: Gaby Adame Area Code/Telephone/Extension: 951-955-1395

If filed by applicant:

- 1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: Date: 5-20-24 Title: Bureau Chief

Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR:

FILED / POSTED

County of Riverside
Peter Aldana
Assessor-County Clerk-Recorder

E-202400569
05/22/2024 01:57 PM Fee: \$ 50.00
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Revised 2011

Removed: By: Deputy



AMENDMENT NO. 2
OF THE
COOPERATIVE AGREEMENT FOR OPERATION AND MAINTENANCE OF
HIDDEN VALLEY WILDLIFE AREA

THIS AMENDMENT NO. 2 to Cooperative Agreement for Operation and Maintenance of Hidden Valley Wildlife Area (the "**Amendment**") is made and entered into May 21, 2024 (the "**Effective Date**"), by and among the State of California, Department of Fish and Wildlife, successor in all interests of the California Department of Fish and Game, hereinafter called the "**State**," the County of Riverside on behalf of its Parks Department, hereinafter called "**County**" and collectively with the State, sometimes referred to as the "**Parties**."

RECITALS

WHEREAS, the State and County previously entered into that certain Cooperative Agreement for Operation and Maintenance of Hidden Valley Wildlife Area on May 28, 1974, as amended by that certain Amendment to Cooperative Agreement for Operation and Maintenance of Hidden Valley Wildlife Area by and between State and County dated October 21, 1975 (as amended, the "**Agreement**") for the operation and maintenance of certain real property in Riverside County acquired by the State in 1974 known as Hidden Valley Wildlife Area although not officially designated a Wildlife Area under California Code of Regulations, Title 14; and

WHEREAS, the term of the Agreement is fifty (50) years, ending May 27, 2024; and

WHEREAS, the term of the Agreement may be extended by mutual agreement; and

WHEREAS, the Parties wish to amend the Agreement to extend the term.

NOW THEREFORE, in consideration of the mutual covenants and undertakings set forth herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

1. Recitals. The foregoing recitals are a part of this Amendment.
2. Term; Extension. The first sentence of Section 8 of the Agreement shall be replaced as follows:

"This agreement shall be for the term commencing with the date hereof and ending May 27, 2029."

3. Full Force and Effect. It is further agreed that all other terms and conditions of the Agreement shall remain unchanged and in full force and effect.

4. Counterparts/Electronic Signatures. This Amendment may be executed in any number of counterparts, each of which will be an original, but all of which together will constitute one instrument. Each Party agrees to the use of electronic signatures, such as digital signatures, that meet the requirements of the California Uniform Electronic Transactions Act ("**CUETA**") (See, Cal. Civ. Code §§ 1633.1 to 1633.17), for executing this Amendment. The Parties further agree that the electronic signatures of the Parties included in this Amendment are intended to authenticate this writing and to have the same force and effect as manual signatures. Pursuant to California Civil Code section 1633.2 (h), an electronic signature means "an electronic sound,

MAY 21 2024

13.1

symbol, or process attached to or logically associated with an electronic record and executed or adopted by a person with the intent to sign the electronic record." The CUETA authorizes use of an electronic signature for agreements among parties in California, including a governmental agency. Digital signature is defined in California Government Code section 16.5 as "an electronic identifier, created by computer, intended by the party using it to have the same force and effect as the use of a manual signature" and is a type of "electronic signature" as defined in subdivision (h) of section 1633.2(h) of the California Civil Code.

*[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK.
SIGNATURES ON NEXT PAGE.]*

This Amendment is executed by the Parties as of the Effective Date written above.

COUNTY:

COUNTY OF RIVERSIDE
on behalf of its Parks Department

By: 
Chuck Washington
Chair, Board of Supervisors

Date: 5/21/2024

ATTEST:
KIMBERLY A. RECTOR, Clerk

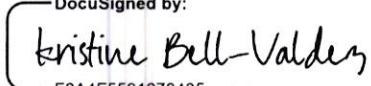
By 
DEPUTY

Recommended by:

DocuSigned by:



Kyla Brown, Parks Director
Riverside County Parks Department

APPROVED AS TO FORM
Minh C. Tran
County Counsel

DocuSigned by:
By: 
Kristine Bell-Valdez
Supervising Deputy County Counsel

STATE:

STATE OF CALIFORNIA
DEPARTMENT OF FISH AND WILDLIFE,
successor in all interests of the
California Department of Fish and Game

DocuSigned by:
By: 
Heidi Calvert, Regional Manager
Inland Deserts Region (6)
California Department of Fish and Wildlife
Date: 5/8/2024

ATTEST:
KIMBERLY A. REDDICK, Clerk

BY
DEPUTY