

**Amendment No. 2 to
Memorandum of Understanding**

Coordinated Parkway Planning
Among Counties along the
Santa Ana River Corridor

This Amendment No. 2 to Memorandum of Understanding (hereinafter "Amendment No. 2") is entered into as of Oct. 6, 2015,

BY AND AMONGST

AND

The County of Orange, a political subdivision of the State of California, hereinafter referred to as "ORANGE"

AND

The County of Riverside, a subdivision of the State of California, herein referred to as "RIVERSIDE";

AND

The County of San Bernardino, a subdivision of the State of California, herein referred to as "SAN BERNARDINO";

AND

The Santa Ana Watershed Project Authority, a recognized regional agency that has significant responsibility for the management of the Santa Ana River throughout the watershed, herein referred to as "SAWPA";

The Wildlands Conservancy, a private non-profit group that has been instrumental in the development of the Parkway to date and is uniquely positioned and capable of fostering good stewardship throughout the basin, herein referred to as "WILDLANDS";

ORANGE, RIVERSIDE, SAN BERNARDINO, SAWPA and WILDLANDS hereafter are collectively referred to as the "PARTIES" and individually as a "PARTY"

RECITALS

WHEREAS, certain lands within the counties of Orange, Riverside and San Bernardino

form an expansive watershed which leads from the San Bernardino Mountains to the Pacific

1 Ocean along a river course known as the Santa Ana River;

2 **WHEREAS**, the Santa Ana River is a 100-mile-long river that serves the diverse needs of
3 the three counties and adjacent cities including flood control, water conservation, habitat
4 protection, education and recreation;

5 **WHEREAS**, Orange, Riverside and San Bernardino Counties, along with several cities,
6 have separately adopted recreational plans, that include trails;

7 **WHEREAS**, these regional and local plans identify the Santa Ana River as an important
8 recreational corridor, and the PARTIES have identified the need to coordinate these activities
9 along the river to ensure consistency, facilitate planning, and share resources;

10 **WHEREAS**, on March 12, 1976, then Secretary of Interior Thomas Kleppe deemed
11 portions of the trail in Orange County and San Bernardino County as the Santa Ana River
12 National Recreational Trail #80 and #100, respectively, establishing for the first time, a national
13 trail along the Santa Ana River;

14 **WHEREAS**, on June 27, 2006, a Memorandum of Understanding (hereinafter
15 "AGREEMENT") was executed to establish a mechanism to facilitate planning, project
16 implementation, and reporting and accountability for the PARTIES as they endeavor to create a
17 recreational parkway along the Santa Ana River for a period of five years from the date of the
18 last signature signed on January 8, 2007; and
19

20 **WHEREAS**, this AGREEMENT was extended by Amendment (hereinafter "AMENDMENT
21 1") on May 17, 2011 for an additional three (3) years from the date of the last signature to
22 provide additional time for the PARTIES to complete a recreational parkway along the Santa
23 Ana River; and
24

25 **WHEREAS**, on September 25, 2014, Governor Brown signed into law the creation of a
26

1 Santa Ana River Conservancy program through the State Coastal Conservancy (hereinafter
2 "CONSERVANCY"); and

3 **WHEREAS**, the PARTIES wish to continue working with each other and cooperatively
4 with the CONSERVANCY to advise, prioritize, and direct activities in the Santa Ana River
5 corridor; and

6
7 **WHEREAS**, the PARTIES wish to extend the AGREEMENT an additional 3 years to allow
8 time for completion of the trail and to work cooperatively in Partnership with the
9 CONSERVANCY;

10 **NOW, THEREFORE, IT IS AGREED** by and between PARTIES to amend AGREEMENT
11 as follows:

- 12
13 1. Section 1 shall be modified to reflect the addition of 3 additional voting members to
14 the Policy Advisory Group for a total of 11 voting members. Section 1 will be deleted
15 and replaced with:

16
17 "The PARTIES will establish an advisory committee comprised of eleven (11) voting
18 members: one elected Supervisor from each of the three counties, six elected city
19 representatives (two from each county to be appointed by the Supervisor of that
20 county), one representative from SAWPA, and one representative from WILDLANDS
21 for a total of eleven (11) members. The committee will be referred to as the Policy
22 Advisory Group (PAG)."

- 23
24 2. Section 3 is deleted in its entirety.

- 25
26 3. Section 6 is deleted and replaced with:

1
2 "The term of the AGREEMENT shall be twelve (12) years from the date of the last
3 signature in time below unless otherwise terminated pursuant to Section 1 g. or by
4 mutual consent of all of the PARTIES to this AGREEMENT. All PARTIES have the
5 right to withdraw from this AGREEMENT. If so, the PARTY that wishes to withdraw
6 must give 120 days notice to the remaining PARTIES. In the event of a PARTY's
7 withdrawal, this AGREEMENT must be amended to reflect the change in
8 membership."

- 9
10 3. Except as expressly set forth in this AMENDMENT No. 2, all other terms and
11 conditions of the AGREEMENT shall remain unchanged and in full force and effect.

12 //

13
14
15 //

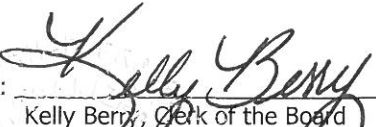
16
17
18 //

IN WITNESS WHEREOF, each party hereto has executed this Amendment No. 2 to AGREEMENT by a duly authorized representative as of the date set forth above.

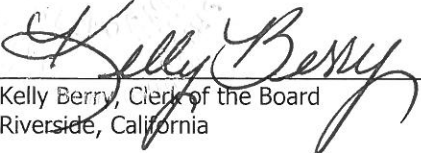
Santa Ana Watershed Project Authority, a Special District

Date: October 6, 2015

By 
Thomas P. Evans, Chairman, of the Commission of the Santa Ana Watershed Project Authority, Riverside, California

By: 
Kelly Berry, Clerk of the Board
SIGNED AND CERTIFIED THAT A COPY OF THIS DOCUMENT HAS BEEN DELIVERED TO THE CHAIRMAN OF THE COMMISSION

Date: October 6, 2015
APPROVED AS TO FORM
RIVERSIDE, California


Kelly Berry, Clerk of the Board
Riverside, California

By: 
Larry B. McKenney, Executive Counsel

1 **IN WITNESS WHEREOF**, each party hereto has executed this Amendment No. 2 to
2 AGREEMENT by a duly authorized representative as of the date set forth above.

3
4 **COUNTY OF RIVERSIDE, a subdivision of the**
5 **State of California**

6 Date: _____

7 By _____
8 Marion Ashley, Chairman, Board of Supervisors of
9 Riverside County, California

10 By: _____

Date: _____

11 Clerk of the Board
12 SIGNED AND CERTIFIED THAT A COPY OF
13 THIS DOCUMENT HAS BEEN DELIVERED TO
14 THE CHAIRMAN OF THE BOARD

APPROVED AS TO FORM
Office of the County Counsel
RIVERSIDE County, California

15 By: _____
16 Deputy

17 _____
18 Kecia Harper-Ihem, Clerk of the Board
19 Clerk of the Board of Supervisors
20 Of Riverside County, California

1 **IN WITNESS WHEREOF**, each party hereto has executed this Amendment No. 2 to
2 AGREEMENT by a duly authorized representative as of the date set forth above.

3
4 **COUNTY OF SAN BERNARDINO, a subdivision of**
5 **the State of California**

6 Date: _____

7 By _____
8 James Ramos, Chairman of the Board of
9 Supervisors of San Bernardino County, California

10 By: _____
11 Clerk of the Board

Date: _____

12 SIGNED AND CERTIFIED THAT A COPY OF
13 THIS DOCUMENT HAS BEEN DELIVERED TO
14 THE CHAIRMAN OF THE BOARD

APPROVED AS TO FORM
Office of the County Counsel
SAN BERNARDINO County, California

15 By: _____
16 Deputy

17 _____
18 Laura H. Welch, Clerk of the Board
19 Clerk of the Board of Supervisors
20 Of San Bernardino County, California

1 **IN WITNESS WHEREOF**, each party hereto has executed this Amendment No. 2 to
2 AGREEMENT by a duly authorized representative as of the date set forth above.

3
4 **WILDLANDS CONSERVANCY, a private non-profit organization**

5
6 Date: _____

6 By _____

7 David Myers
8 Executive Director, Wildlands Conservancy
9 Oak Glen, California

10 By: _____

10 Date: _____

11 Clerk of the Board

11 SIGNED AND CERTIFIED THAT A COPY OF
12 THIS DOCUMENT HAS BEEN DELIVERED TO
13 THE GENERAL MANAGER

11 APPROVED AS TO FORM
12 SAN BERNARDINO, California

13 By: _____

14 Attorney

14 Clerk of the Board
15 Of Wildlands Conservancy
16 San Bernardino, California

1 **IN WITNESS WHEREOF**, each party hereto has executed this Amendment No. 2 to
2 AGREEMENT by a duly authorized representative as of the date set forth above.

3
4 **COUNTY OF ORANGE, a political subdivision of**
5 **the State of California**

6 Date: _____

7 By _____
8 Todd Spitzer, Chairman, Board of Supervisors
9 Orange County, CA

10 Date: _____

11 APPROVED AS TO FORM
12 Office of the County Counsel
13 ORANGE COUNTY, California

14 By: _____
15 Deputy