



REPLY TO  
ATTENTION OF

DEPARTMENT OF THE ARMY  
LOS ANGELES DISTRICT, U.S. ARMY CORPS OF ENGINEERS  
915 WILSHIRE BOULEVARD, SUITE 930  
LOS ANGELES, CALIFORNIA 90017

**FIRST AMENDMENT  
TO  
MEMORANDUM OF AGREEMENT  
BETWEEN  
METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA  
AND  
THE U.S. ARMY CORPS OF ENGINEERS, LOS ANGELES DISTRICT**

SUBJECT: First Amendment to Memorandum of Agreement between the Metropolitan Water District of Southern California and the U.S. Army Corps of Engineers, Los Angeles District

This First Amendment to Memorandum of Agreement ("FIRST AMENDMENT"), made the 29<sup>th</sup> day of September 2016, is entered into by and between the Metropolitan Water District of Southern California (hereinafter the "District"), and the United States Army Corps of Engineers, Los Angeles District (hereinafter the "Corps"), collectively referred to as the "Parties."

**RECITALS**

WHEREAS, the Corps has jurisdiction over certain activities occurring in waters of the United States, including wetlands, pursuant to section 404 of the Clean Water Act of 1972, as amended, and navigable waters of the United States pursuant to section 10 of the Rivers and Harbors Act of 1899, as amended; and

WHEREAS, the Parties entered into a Memorandum of Agreement ("MOA"), effective June 1, 2014, for expedited and priority review of District-designated priority projects by the Corps; and

WHEREAS, the MOA is set to expire September 30, 2016; and

WHEREAS, section 214 of the Federal Water Resources Development Act of 2000, Public Law 106-541, as amended and codified at 33 U.S.C. 2352, authorizes the Secretary of the Army, after public notice, to accept and expend funds contributed by a non-Federal public entity to expedite the evaluation of a permit of that entity related to a project or activity for a public purpose under the jurisdiction of the Department of the Army; and

WHEREAS, the Chief of Engineers, by memorandum dated September 2, 2015, has authorized the District and Division Engineers of the Corps to accept and expend funds contributed by non-Federal public entities subject to certain limitations; and

WHEREAS, the Parties desire to extend the duration of the MOA an additional three years; and

WHEREAS, the Corps has determined the existing funding from the District is sufficient to continue to fund permit evaluation-related activities through September 30, 2019; and

NOW, THEREFORE, the Parties agree as follows:

#### FIRST AMENDMENT

1. Article XII- EFFECTIVE DATE AND DURATION. This Article is modified in its entirety to read:

“Article XII - EFFECTIVE DATE AND DURATION

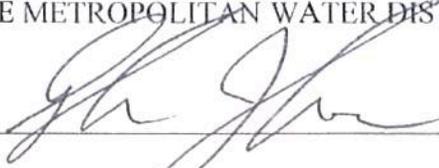
This MOA as amended will become effective on the date of signature by the last Party. Unless amended or modified pursuant to Article VIII.A., this amended MOA shall remain in force until whichever of these events occurs first: 1) September 30, 2019; or 2) the MOA is terminated pursuant to Article X.B.”

2. Integration. This FIRST AMENDMENT represents the entire understanding of the Parties regarding changes to the MOA. All other terms and conditions of the MOA remain in full force and effect.

[REMAINDER LEFT INTENTIONALLY BLANK]

IN WITNESS WHEREOF, the FIRST AMENDMENT is executed by the Metropolitan Water District of Southern California, acting by and through its Manager of Engineering Services, and by the Los Angeles District U.S. Army Corps of Engineers, through its authorized officer.

FOR THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

By:  \_\_\_\_\_

Date: 9/29/16 \_\_\_\_\_

Gordon Johnson  
Manager  
Engineering Services Group

APPROVED AS TO FORM:

Joseph Vanderhorst  
Deputy General Counsel

  
\_\_\_\_\_  
Deputy

U.S. ARMY CORPS OF ENGINEERS, LOS ANGELES DISTRICT

By: \_\_\_\_\_

Date: \_\_\_\_\_

Kirk E. Gibbs  
Colonel, US Army  
Commander and District Engineer

IN WITNESS WHEREOF, the FIRST AMENDMENT is executed by the Metropolitan Water District of Southern California, acting by and through its Manager of Engineering Services, and by the Los Angeles District U.S. Army Corps of Engineers, through its authorized officer.

FOR THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

By: \_\_\_\_\_

Date: \_\_\_\_\_

Gordon Johnson  
Manager  
Engineering Services Group

APPROVED AS TO FORM:  
Joseph Vanderhorst  
Deputy General Counsel

\_\_\_\_\_  
Deputy

U.S. ARMY CORPS OF ENGINEERS, LOS ANGELES DISTRICT

By:  \_\_\_\_\_

Date: 9/27/16

Kirk E. Gibbs  
Colonel, US Army  
Commander and District Engineer