

SUPPLEMENTAL WATERSHED WORK PLAN AGREEMENT

between the

Upper Elm Red Soil and Water Conservation District
Local Organization

Denton-Wise Soil and Water Conservation District
Local Organization

(hereinafter referred to as the Sponsoring Local Organization)

State of Texas

and the

Soil Conservation Service
United States Department of Agriculture
(hereinafter referred to as the Service)

Whereas, the Soil and Water Conservation Districts have heretofore entered into a Flood Control Supplemental Memorandum of Understanding with the Soil Conservation Service for assistance in constructing works of improvement for the prevention of floods in the Elm Fork watershed, State of Texas, under the authority of the Flood Control Act of 1944 (58 Stat. 877).

Whereas, there has been developed through the cooperative efforts of the Sponsoring Local Organization and the Service a mutually satisfactory plan for works of improvement for the Elm Fork watershed which became effective on the 2nd. day of April 1951; and

Whereas, the Watershed Work Plan Agreement for said watershed, State of Texas, executed by the Sponsoring Local Organizations named therein and the Service became effective June 1956; and

Whereas, in order to complete the overall resource development program and to control critical sediment source areas for Elm Fork watershed, it has become necessary to modify the agreement to include critical area treatment measures; and

Whereas, there has been developed through the cooperative efforts of the local organization and the Service, a mutually satisfactory plan for critical area treatment on the Elm Fork watershed, which supplement is annexed to and made a part of this agreement; and

Whereas, the supplemental plan describes the problems and sets forth a plan for works of improvement, the kinds and quantities of measures to be installed, the estimated cost, cost-sharing arrangements, maintenance and other responsibilities of those participating in the project;

Now, therefore, in view of the foregoing considerations, the local organization and the Secretary of Agriculture, through the Service, hereby agree on the supplement, and further agree that the works of improvement as set forth in said supplement will be installed, operated and maintained substantially in accordance with the terms, conditions and stipulations provided therein.

- (1) Add land treatment measures for stabilization of critical areas on approximately 100 acres. These acres will be treated with planned measures such as shaping, vegetating and appurtenant structural measures.
- (2) A separate agreement will be entered into between the Service and the District Cooperator before either party initiates work involving funds of the other party. Such agreement will set forth in detail the financial and working arrangements and other conditions that are applicable to the specific works of improvement.
- (3) The sponsoring local organization assures that comparable replacement dwellings will be available for individuals and persons displaced from dwellings, and will provide relocation assistance advisory services and relocation assistance, make the relocation payments to displaced persons, and otherwise comply with the real property acquisition policies contained in the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Public Law 91-646, 84 Stat. 1894) effective as of January 2, 1971, and the Regulations issued by the Secretary of Agriculture pursuant thereto. The costs of relocation payments will be shared by the sponsoring local organization and the Service as follows:

	Sponsoring Local Organization (percent)	Service (percent)	Estimated Relocation Payment Costs (dollars)
Relocation Payments	26.63	73.37	<u>1/</u>

1/ Investigation has disclosed that under present conditions the project measures will not result in the displacement of any person, business, or farm operation. However, if relocations become necessary, relocation payments will be cost-shared in accordance with percentages shown.

- (4) The sponsoring local organization will provide assistance to landowners and operators to assure the installation of the land treatment measures shown in the supplemental watershed work plan.
- (5) The sponsoring local organization will encourage landowners and operators to operate and maintain the land treatment measures for the protection and improvement of the watershed.
- (6) The costs shown in this agreement represent preliminary estimates. In finally determining the costs to be borne by parties hereto, the actual costs incurred in the installation of works of improvement will be used.
- (7) This agreement is not a fund obligating document. Financial and other assistance to be furnished by the Service in carrying out the supplement

is contingent on the appropriation of funds for this purpose.

- (8) The supplement may be amended or revised, and this agreement may be modified or terminated only by mutual agreement of the parties hereto except that an amendment to incorporate changes affecting one specific local sponsor may be made by mutual agreement between the Service and that sponsor involved. This includes all changes affecting that sponsor including the addition of sponsors to this supplement where such action is determined necessary.
- (9) The program conducted will be in compliance with all requirements respecting non-discrimination as contained in the Civil Rights Act of 1964 and the regulations of the Secretary of Agriculture (7 C.F.R. 15.1-15.12), which provides that no person in the United States shall on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any activities receiving federal financial assistance.

The Sponsoring Local Organization and the Service further agree to all other terms, conditions, and stipulations of said watershed work plan agreement not modified herein.

Soil and Water Conservation District

Local Organization
Box 340
Gainesville, Texas 76240
Address Zip Code

By J. H. B...
Title Chairman
Date June 1, 1978

The signing of this agreement was authorized by a resolution of the governing body of the Upper Elm Red Soil and Water Conservation District adopted at a meeting held on Local Organization Gainesville

[Signature]
Secretary, Local Organization
June 1, 1978
Date

805 Lamberth Rd.
Sherman, Texas 75000
Address Zip Code

Denton-Wise Soil & Water Cons. District

Local Organization
P. O. Box 40, Denton, Tx. 76201
Address Zip Code

By John Blain Jr
Title Chairman
Date 6/22/78

The signing of this agreement was authorized by a resolution of the governing body of the Denton-Wise Soil and Water Conservation District adopted at a meeting held on Local Organization 6/22/78

[Signature]
Secretary, Local Organization
Acting 6/22/78
Date

P. O. Box 40, Denton, Tx. 76201
Address Zip Code

Soil Conservation Service
United States Department of Agriculture

Approved by:
C. Bull [Signature]
State Conservationist ACTING
JUL 10 1978
Date