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EXECUTIVE COMMITTEE

The Executive Committee, consisting of the RCA Board Chairman, Vice-Chairman, Past Chairman, and four members of the RCA Board, makes recommendations regarding personnel, administrative and financial matters, as well as provide guidance on a broad range of issues including target areas or types of habitats needed to remain in rough step. In addition, the Executive Committee may schedule Funding Coordination Committee workshops to discuss funding and acquisition strategy.

EXECUTIVE COMMITTEE MEETING

March 18, 2015, Wednesday @ 12:00 p.m.
Western Riverside County Regional Conservation Authority
Riverside Centre, RCA Conference Room
3403 Tenth Street, Suite 320
Riverside, California 92501

EXECUTIVE COMMITTEE MEMBERS

John Tavaglione, Chairman
County of Riverside, District 2

Eugene Montanez, Vice-Chairman
City of Corona

Scott Miller, Past Chairman
City of San Jacinto

Marion Ashley
County of Riverside, District 5

Ben Benoit
City of Wildomar

Maryann Edwards
City of Temecula

Natasha Johnson
City of Lake Elsinore

Charles Landry, Executive Director



EXECUTIVE COMMITTEE AGENDA *

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* Action(s) may be taken on any item listed on the agenda. Non-exempt materials related to an item on this agenda submitted to the RCA Executive Committee after distribution of the agenda packet are available for public inspection at the RCA Offices, 3403 10th Street, Suite 320, Third Floor, Riverside, California, 92501, during normal business hours. Such documents are also available on the Western Riverside County Regional Conservation Authority website at www.wrc-rca.org subject to staff's ability to post the documents before the meeting. Alternative formats are available upon request by contacting the Clerk of the Board at (951) 955-9700. Notification of at least 72 hours prior to meeting time will assist staff in accommodating such requests.

**Wednesday, March 18, 2015
12:00 P.M.
Riverside Centre, RCA Conference Room
3403 Tenth Street, Suite 320
Riverside, CA 92501**

In compliance with the Americans with Disabilities Act and Government Code Section 54954.2, if special assistance is needed to participate in an Executive Committee meeting, please contact the Clerk of the Board at (951) 955-9700. Notification of at least 48 hours prior to meeting time will assist staff in assuring that reasonable arrangements can be made to provide accessibility at the meeting.

1. CALL TO ORDER

2. ROLL CALL

3. PUBLIC COMMENT

At this time, members of the public can address the Executive Committee regarding any items within the subject matter jurisdiction of the RCA that are not separately listed on this agenda. Members of the public will have the opportunity to speak on agenda items at the time the item is called for discussion. No action may be taken on items not listed on the agenda unless authorized by law. Each individual speaker is limited to speak three (3) continuous minutes or less. Any person wishing to address the Executive Committee on any matter, whether or not it appears on this agenda, is requested to complete a Request to Speak form available from the Clerk of the Board. The completed form is to be submitted to the Clerk of the Board prior to an individual being heard. Whenever possible, lengthy testimony should be presented to the Executive Committee in writing and only pertinent points presented orally. Any written documents to be distributed or presented to the Executive Committee shall be submitted to the Clerk of the Board.

4. COMMITTEE MEMBER ANNOUNCEMENTS

5. ADDITIONS/REVISIONS

(The Committee may add an item to the Agenda after making a finding that there is a need to take immediate action on the item and that the item came to the attention of the Committee subsequent to the posting of the agenda. An action adding an item to the agenda requires 2/3 vote of the Committee. If there are less than 2/3 of the Committee Members present, adding an item requires a unanimous vote. Added items will be placed for discussion at the end of the agenda.)

6. APPROVAL OF MINUTES

- ♦ RCA Executive Committee Meeting - [February 18, 2015](#)

7. WESTERN RIVERSIDE COUNTY MULTIPLE SPECIES HABITAT CONSERVATION PLAN (MSHCP) LOCAL DEVELOPMENT MITIGATION FEE (LDMF) COLLECTION AND CIVIC/INFRASTRUCTURE CONTRIBUTION REPORT FOR FEBRUARY 2015

Overview - [Staff Report](#)

This item is for the RCA Executive Committee to:

- 1) Recommend that the RCA Board of Directors receive and file the Western Riverside County MSHCP LDMF Collection and Civic/Infrastructure Contribution Report for February 2015; and
- 2) Authorize staff to agendize this matter for the April 6, 2015 meeting of the RCA Board of Directors.

8. NON-DEVELOPMENT HANS FUNDING LEVEL FOR FISCAL YEAR 2016

Overview - [Staff Report](#)

This item is for the RCA Executive Committee to:

- 1) Recommend that the RCA Board of Directors direct staff to continue to set aside no more than three percent (3%) of Western Riverside County Multiple Species Habitat Conservation Plan Local Development Mitigation Fees received, effective July 1, 2015 to purchase Non-Development HANS properties under Section 1.13 of the Land Acquisition Priorities; and
- 2) Authorize staff to agendize this matter for the April 6, 2015 meeting of the RCA Board of Directors.

9. AUTHORIZATION TO TRANSPLANT SAN DIEGO AMBROSIA WITHIN THE WESTERN RIVERSIDE COUNTY MULTIPLE SPECIES HABITAT CONSERVATION PLAN AREA

Overview - [Staff Report](#)

This item is for the RCA Executive Committee to:

- 1) Recommend that the RCA Board of Directors authorize RCA to fund the relocation, management and monitoring of the San Diego Ambrosia utilizing the services of Dudek;
- 2) Recommend that the RCA Board of Directors approve the budget adjustments contained in the attached Exhibit A; and
- 3) Authorize staff to agendize this matter for the April 6, 2015 meeting of the RCA Board of Directors.

10. MSHCP WILDLIFE CORRIDORS PRESENTATION

Overview -

Laurie Correa, Director of Reserve Management and Monitoring, will present an overview of wildlife corridors (linkages) planned for the

11. EXECUTIVE DIRECTOR'S REPORT

11.1 Loan Program Update

12. FUTURE AGENDA ITEMS: *(Committee members are invited to suggest additional items to be brought forward for discussion.)*

13. ADJOURNMENT

The next meeting of the Western Riverside County Regional Conservation Authority Executive Committee will be held on Wednesday, April 15, 2015, at 12:00 p.m. at the Riverside Centre, 3403 Tenth Street, Suite 320, Third Floor, RCA Conference Room, Riverside, California, 92501.

AGENDA ITEM NO. 6

**MINUTES
FEBRUARY 18, 2015**



EXECUTIVE COMMITTEE MINUTES

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1.

CALL TO ORDER

The meeting of the Western Riverside County Regional Conservation Authority Executive Committee was called to order by Chairman John Tavaglione at 12:03 p.m., Wednesday, February 18, 2015, at the RCA Conference Room, 3403 Tenth Street, Suite 320, Riverside, California, 92501.

2.

ROLL CALL

COMMITTEE MEMBERS PRESENT

Maryann Edwards
Natasha Johnson*
Scott Miller
Eugene Montanez*
John Tavaglione
Ella Zanowic

COMMITTEE MEMBERS ABSENT

Ben Benoit

**Arrived after start of the meeting.*

3.

PUBLIC COMMENTS

There were no public comments.

4.

COMMITTEE MEMBER ANNOUNCEMENTS

There were no Committee Member announcements.

5.

ADDITIONS/REVISIONS

There were no additions or revisions to the agenda.

6.

APPROVAL OF MINUTES – January 21, 2015

M/S/C (MILLER/EDWARDS) to approve the minutes of the January 18, 2015 meeting of the Executive Committee.

(4 Ayes)

At this time Natasha Johnson joined the meeting.

7. PRESENTATION REGARDING WESTERN RIVERSIDE COUNTY MULTIPLE SPECIES HABITAT CONSERVATION PLAN (MSHCP) FEE COLLECTION, REMITTANCE, AND EXEMPTIONS

Honey Bernas, Director of Administrative Services stated that the fee presentation was revised as directed by the Executive Committee and staff is seeking the Executive Committee's feedback and recommendations before being presented to the RCA Board. The first section of the presentation references Sections of the MSHCP, Implementing Agreement and Joint Powers Agreement which outline the Member Agencies' requirements to collect and remit fees to RCA. On November 1, 2004, the RCA Board adopted Resolution 04-09 that established the fee collection and remittance policy. A few years into implementation, RCA realized it needed to revise its Fee Collection and Remittance policy to provide more clarity to Member Agencies the Member Agencies' obligations regarding fee payment for infrastructure and civic projects. On September 7, 2007, the RCA Board adopted Resolution 07-04 revising its Fee Collection and Remittance Policy. The policy provided a waiver of interest for delinquent fees remitted prior to January 1, 2008. She then reviewed the Member Agencies' reporting and remittance requirements and fees and civic and infrastructure projects.

Section 10 of the Model Ordinance contains and RCA recognizes six exemptions. The model ordinance does not contain an exemption for Development Agreements; however, RCA recognizes Development Agreements that were in existence prior to June 22, 2004.

The MSHCP allows for incentives, including fee credits and exemptions. Under the HANS process, when land is needed for reserve assembly, the MSHCP allows for incentives, including fee credits and exemptions. Honey Bernas reviewed Resolution No. 05-05, the resolution establishing a policy for voluntary RCA review of fee credit agreements, the timing for transfer of conservation lands and monthly accounting requirements.

John Tavaglione reiterated the requirement that each member is to submit a monthly report and asked if that was necessary. Honey Bernas responded that monthly reporting is necessary.

Honey Bernas advised the Executive Committee that Member Agencies are doing a great job with fee collections and remittance; however, there are issues with MSHCP Fee Credit and Development Agreements. MSHCP Fee Credit Agreements should be in exchange for land that contributes to reserve assembly. If MSHCP fees are being exchanged, then RCA should receive something in return for the fees.

Charlie Landry, Executive Director, stated that in some cases the land received as a result of the fee credit agreement doesn't count as part of the 153,000. RCA does not have approval authority over the agreements and the member agencies just report.

RCA EXECUTIVE COMMITTEE MINUTES

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February 18, 2015

Honey Bernas stated that a Member Agency may enter into a fee credit agreement for conservation land, but the conservation land doesn't count toward reserve assembly so RCA does not benefit. There appears to some confusion as sometimes the Member Agency believes since they accepted the land, it can be turned over to RCA for management.

Charlie Landry stated that RCA would only accept and manage the land if it counts toward the 153 acres required for reserve assembly.

Honey Bernas advised that another area of concern is development agreements. Some development agreements have either been entered into or extended after 2004, and some member agencies are not collecting fees on those agreements. RCA staff is working with member agencies to resolve those issues. RCA recently became aware of additional development agreements.

Staff believes that it would benefit both the Member Agencies and RCA staff if development fee policies which reinforce that new development agreements and extensions of development agreements are not permitted, similar to the TUMF program. In addition, a policy stating that fee credit agreements should only be entered into in exchange for Additional Reserve Land subject to RCA approval may be helpful. The RCA Board could have approval authority or delegate that authority to RCA staff, with a caveat that if RCA staff disagreed with the fee credit, then the matter would be elevated to the RCA Board for a decision.

The Chairman asked if there were a few select members who have development agreements. Honey Bernas advised that there are several members who have are exempting fees under development agreements and RCA is becoming aware of additional agreements.

Maryann Edwards, using Temecula as an example, stated that Temecula may say projects are exempt, and RCA would disagree. She said because it is not spelled out in the policy it is not black and white.

Steve DeBaun, legal counsel for RCA, stated the ordinances do not provide exemption for development agreements at all. Only in the resolution does it say that the development agreement's prior to 2004 are exempted. It's clear that there are no exemptions for development agreements post 2004, or any extension.

Charlie Landry commented there are issues that revolve around pre-2004 agreements that are being extended and a few new ones.

Honey Bernas stated that Member Agencies try to do the right thing. If RCA develops clear cut policies as to whether RCA is going to allow these exemptions, or if it's going to be up to the Member Agencies.

Charlie Landry stated that RCA is living in grey area, where there are differences in interpretation with numerous permittees. Maryann Edwards asked if it was due to ambiguous language on RCA's part. Steve DeBaun stated that language is not

RCA EXECUTIVE COMMITTEE MINUTES

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ambiguous, but he does support anything to clarify and emphasize the policies. Training is also a great idea.

John Tavaglione recalled that when the Plan was created there was a lot of discussion regarding developments that were in process and development agreements that were in place and there was a cutoff date. He does not understand why there is any argument about these issues. He stated that this item will be presented to the Board on March 2, and the RAND Study will also be discussed.

Maryann Edwards asked what alternatives RCA has regarding the fee collections and if there an enforcement issue. Charlie Landry stated that the ordinance does not spell everything out. Maryann Edwards asked if RCA lacks the teeth to carry out the resolution.

Steve DeBaun explained that the ordinance provides the mechanism to charge interest. He explained that if a city is not paying their fees, they owe it and RCA can bring legal action, which he is not suggesting. RCA has been in litigation regarding MSHCP fees. There are potential remedies, but they are not pleasant remedies and are not being recommended. It would be very helpful if RCA reviewed Fee Credit Agreements before they are entered into and could avoid some of the issues.

John Tavaglione stated that with the new members, RCA needs to provide education as to why this program is in place, which is why the RAND study will be presented. He suggested that Anne Mayer from Riverside County Transportation Commission be present to explain what kind of benefit they derive from this program. The RCA has no enforcement mechanism other than pulling their Measure A or litigation. This program needs to be taken seriously. RCA needs this money to assemble the reserve so that infrastructure can be built.

Maryann Edwards stated that we don't have anything other than the nuclear option at this point, to sue or pull Measure A.

Scott Miller stated that it interesting that representatives have been around for a long time that should know these processes and asking these questions now regarding when a Member City wants to extend something and internally they have their own processes, do they know what to look to that tells them the step by step very clear message of what is and what is not allowed. RCA needs to provide clear guidance and policies to its Member Agencies.

Honey Bernas commented that it would assist RCA staff if RCA had clear cut policies which Member Agencies can refer to.

John Tavaglione advised that RCA is not saying don't extend the development agreement, but don't extend it to exempt payment of fees. Now that development is picking up, there will be pressure to extend these agreements. That is why RCA needs clear cut, serious consequences.

RCA EXECUTIVE COMMITTEE MINUTES

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M/S/C (MILLER/EDWARDS) for the RCA Executive Committee to:

- 1) Provide staff direction concerning presentation to the RCA Board of Directors; and
- 2) Authorize staff to agendize this matter for the March 2, 2015 meeting of the RCA Board of Directors.

(5 Ayes)

At this time Eugene Montanez joined the meeting.

8. WESTERN RIVERSIDE COUNTY MULTIPLE SPECIES HABITAT CONSERVATION PLAN (MSHCP) LOCAL DEVELOPMENT MITIGATION FEE (LDMF) AND CIVIC/INFRASTRUCTURE CONTRIBUTION REPORT FOR JANUARY 2015

Honey Bernas, Director of Administrative Services reported for the month of January 2015 RCA received \$591,987 in MSHCP Development Mitigation Fees from Member Agencies. Fees were collected for 144 residential units and 47.98 acres of commercial/industrial development. Staff is projecting \$8.4 million in development fee revenue by year end. The RCA budget was \$8.3 million. Total exemptions were for 54 residential units or \$104,652. 41. The City of Lake Elsinore reported 41 units, and the City of Calimesa reported 13 units.

M/S/C (EDWARDS/JOHNSON) for the RCA Executive Committee to:

- 1) Recommend that the RCA Board of Directors receive and file the Western Riverside County MSHCP LDMF and Civic/Infrastructure Contribution Report for January 2015; and
- 2) Authorize staff to agendize this matter for the March 2, 2015 meeting of the RCA Board of Directors.

(6 Ayes)

9. WESTERN RIVERSIDE COUNTY MULTIPLE SPECIES HABITAT CONSERVATION PLAN (MSHCP) LOCAL DEVELOPMENT MITIGATION FEE (LDMF) ANNUAL CPI ADJUSTMENT

Honey Bernas, Director of Administrative Services commented that RCA's current fees were established, effective in fiscal year 2009. The RCA Board has elected not increase fees for the last six years. Staff is recommending that RCA adopt CPI increase this year, which is 0.726%. Staff estimates this will generate approximately \$71,000 in additional development mitigation fees for Fiscal Year 2016.

M/S/C (EDWARDS/ZANOWIC) for the RCA Executive Committee to:

- 1) Recommend that the RCA Board of Directors approve implementing the CPI adjustment for Western Riverside County MSHCP Local Development Mitigation Fees, effective July 1, 2015; and
- 2) Authorize staff to agendize this matter for the March 2, 2015 meeting of the RCA Board of Directors.

(6 Ayes)

10. FISCAL YEAR 2015 SECOND QUARTER FINANCIAL REPORT

Honey Bernas, Director of Administrative Services gave an overview of the Second Quarter Financial Report and advised that a budget adjustment is necessary. As of December 31, 2014, the RCA cash balance of \$29.8 million represents a \$1.5 million increase over the last fiscal year. Cash receipts were \$11.9 million, Cash disbursements were \$10.5 million and the cash balance as of February 17, 2015 was \$26.9 million. RCA has an additional \$3.8 million set aside for the endowment. In Operations, revenue of \$2.4 million exceeded expenditures of \$165,000 by \$2.2 million. RCA received revenue for two Participating Special Entity Certificates of Inclusion from Southern California Edison. In Management and Monitoring, revenues of \$1.5 million exceeded expenditures of \$1.2 million by \$287,000. Second quarter tipping fees came in higher than budget. Staff is projecting a positive year end net operating position in both Operations and Management and Monitoring. In the Land Acquisition Program, expenditures of \$10.2 million exceeded revenues of \$9.1 million. The budget included a \$3.2 million draw on fund balance. Staff anticipates the draw will be \$2.7 million. Staff is requesting budget adjustments of \$6.7 million in revenue and expenditures in the Land Acquisition Program, as State and Federal grant funded acquisitions will not close this fiscal year. The acquisitions will be included in next year's budget. Nine thousand dollars of the budget adjustment is interest for notes payable. The interest rate on RCA's loan from the County was lower than budgeted. In addition, staff is proposing an increase of \$20,000 to estimated revenues and appropriations for the Management and Monitoring Program. RCA and a developer entered into a Funding and Right of Entry Agreement in the amount of \$19,998. The funds are to be used by RCA to relocate burrowing owls from the San Jacinto area to the Hidden Valley Wildlife Area. The RCA engaged the professional services of Kidd Biological, Inc., to provide the relocation services. The Parks District will provide on-site management and monitoring of the burrowing owls for the additional \$5,904.

Eugene Montanez asked about the grant funding acquisitions what is the time frame for the acquisitions to close and if they would close before the end of the federal fiscal year. Charlie Landry advised that a couple of the acquisitions actually fell out, and there are some replacement acquisitions in process. Two have been pushed to next fiscal year because they need approval from the Wildlife Conservation Board. Honey

RCA EXECUTIVE COMMITTEE MINUTES

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Bernas stated that RCA has been awarded the grant, but the acquisitions have been delayed.

Charlie added an explanation of grant process. The Department of General Services must review and approve the appraisal. Once the appraisal is approved, the item must be agendized on the Wildlife Conservation Board. The Wildlife Conservation Board only meets quarterly. RCA just missed the agenda for two items. The process takes approximately one year.

M/S/C (MILLER/EDWARDS) for the RCA Executive Committee to:

- 1) Recommend that the RCA Board of Directors –
 - A) Receive and file the Fiscal Year 2015 Second Quarter Financial Report;
 - B) Approve the budget adjustments contained in Exhibit A;
 - C) Authorize the Chairman to direct the Auditor-Controller to make the budget adjustments contained in Exhibit A;and
- 2) Authorize staff to agendize this matter for the March 2, 2015 meeting of the RCA Board of Directors.

(6 Ayes)

11. **FUTURE AGENDA ITEMS:** *(Committee members are invited to suggest additional items to be brought forward for future discussion.)*

There were no requests for future agenda items.

At this time, the Chairman adjourned the meeting to Closed Session:

12. CLOSED SESSION ITEMS:

12.1 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION Pursuant to paragraph 1 of Subdivision (d) of Government Code Section 54956.9

**RIC 100004733 Calvary Chapel of Murrieta v. City of Murrieta; Western
Riverside County Regional Conservation Authority**

There were no announcements from Closed Session.

13. ADJOURNMENT

The next meeting of the Western Riverside County Regional Conservation Authority Executive Committee will be held on Wednesday, March 18, 2015, at 12:00 p.m., at the Riverside Centre, 3403 Tenth Street, Suite 320, Third Floor, RCA Conference Room, Riverside, California, 92501.

Prepared by:



Rose Esparza
Administrative Manager

Respectfully submitted:



Honey Bernas
Clerk of the Board

AGENDA ITEM NO. 7

WESTERN RIVERSIDE COUNTY MULTIPLE SPECIES HABITAT CONSERVATION PLAN (MSHCP) LOCAL DEVELOPMENT MITIGATION FEE (LDMF) AND CIVIC/INFRASTRUCTURE CONTRIBUTION REPORT FOR FEBRUARY 2015

Regional Conservation Authority

**WESTERN RIVERSIDE COUNTY
MULTIPLE SPECIES HABITAT CONSERVATION PLAN (MSHCP)
LOCAL DEVELOPMENT MITIGATION FEE (LDMF) COLLECTION
AND CIVIC/INFRASTRUCTURE CONTRIBUTION REPORT FOR
FEBRUARY 2015**

Staff Contact:

**Honey Bernas
Director of Administrative Services
(951) 955-9700**

Background:

The RCA Executive Committee directed staff to report on Western Riverside County MSHCP LDMF Collection and Civic/Infrastructure Contributions on a monthly basis.

Attached is the report for February 2015. The report was prepared on a cash basis and, therefore, reflects the cash received by RCA during the month of February.

Staff Recommendations:

That the RCA Executive Committee –

- 1) Recommend that the RCA Board of Directors receive and file the attached Western Riverside County MSHCP LDMF Collection and Civic/Infrastructure Contribution Report for February 2015; and
- 2) Authorize staff to agendize this matter for the April 6, 2015 meeting of the RCA Board of Directors.

Attachment

Western Riverside County MSHCP LDMF Collection and Civic/Infrastructure Contribution Report for February 2015

AGENDA ITEM NO. 7

ATTACHMENT

WESTERN RIVERSIDE COUNTY MSHCP LDMF COLLECTION AND CIVIC/INFRASTRUCTURE CONTRIBUTION REPORT FOR FEBRUARY 2015

**MSHCP LDMF AND CIVIC/INFRASTRUCTURE CONTRIBUTION
CASH RECEIPTS FEBRUARY 2015
CASH BASIS**

DEVELOPMENT FEES					
City/County by Month	REMITTED			EXEMPTIONS AND FEE CREDITS	
	Residential Permits	Commercial Acres	Amount Remitted	Residential Permits	Amount
City of Banning					
January - No Activity					
City of Beaumont					
January received in March					
City of Calimesa					
January - No Activity					
City of Canyon Lake					
January - No Activity					
City of Corona					
November	355	2.37	\$374,405		
January - No Activity					
City of Eastvale					
January	75		\$145,350		
City of Hemet					
December	14		\$27,132		
January		0.93	\$6,115		
City of Jurupa Valley					
January	24		\$46,512		
City of Lake Elsinore - January					
Summerly Project ¹				4	\$7,752
Castle and Cook Alberhill Ranch LLC ²				5	\$9,690
Pardee-Grossman/Cottonwood Canyon ³				13	\$25,194
City of Menifee					
January	28		\$54,264		
City of Moreno Valley					
January	14		\$27,132		
City of Murrieta					
January - No Activity					
City of Norco					
January - No Activity					
City of Perris					
January	6	1.14	\$19,149		
City of Riverside					
January		10.66	\$70,352		
City of San Jacinto					
January	8		\$15,504		
City of Temecula					
December	9		\$11,866		
January	2		\$3,179		
Roripaugh Development Agreement ⁴				36	\$69,768
City of Wildomar					
January received in March			\$0		
County of Riverside(TLMA)					
February	48		\$93,024		
Total Cities and County	583	15.10	\$893,984	58	\$112,404

CIVIC AND INFRASTRUCTURE PROJECTS		
	No Activity	
Total Civic/Infrastructure Remitted		\$0

TOTAL RECEIPTS - FEBRUARY 2015 \$ 893,984

1) Summerly Project - Development agreement dated 8/24/04. Expiration date 9/23/14. Under review.

2) Castle and Cook Alberhill Ranch LLC (formerly known as Murdock Alberhill Ranch Limited Partnership) project exempt from MSHCP by Settlement Agreement between the County and Castle & Cook dated 2/24/2004.

3) Pardee Grossman/Cottonwood Canyon Development Agreement - Development Agreement dated 7/9/1990. Expiration date 7/9/2010. Amended January 2010 extending term to 7/1/2030. Under review.

4) Roripaugh Development Agreement dated 12/17/02. Expired 11/25/13. Amended 4/23/13 extending term to 11/25/28. Under review.

AGENDA ITEM NO. 8

NON-DEVELOPMENT HANS FUNDING LEVEL FOR FISCAL YEAR 2016

Regional Conservation Authority

NON-DEVELOPMENT HANS FUNDING LEVEL FOR FISCAL YEAR 2016

Staff Contact:

**Honey Bernas
Director of Administrative Services
(951) 955-2842**

Background:

The MSHCP allows property owners who do not intend to file a development application to submit their properties for evaluation and possible acquisition under the HANS process. Under pages 6-17 and 6-18 of the MSHCP, a list is to be established for properties that fall within this category. The Plan also provides that a separate designated fund be created to purchase properties on this priority list.

Land Acquisition Policy 1.13 requires that the level of funding to be set aside for the purchase of Non-Development HANS properties be reviewed annually and set by the RCA Board of Directors. The Board established a funding level of 3% of Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Local Development Mitigation Fees for Fiscal Year 2015.

Staff does not anticipate an increase in MSHCP Development Fee Revenue next year and, therefore, recommends continuing the 3% funding level for Fiscal Year 2016.

Staff Recommendations:

That the RCA Executive Committee:

- 1) Recommend that the RCA Board of Directors direct staff to continue to set aside no more than three percent (3%) of Western Riverside County Multiple Species Habitat Conservation Plan Local Development Mitigation Fees received effective July 1, 2015 to purchase Non-Development HANS properties under Section 1.13 of the Land Acquisition Policies; and
- 2) Authorize staff to agendize this matter for the April 6, 2015 meeting of the RCA Board of Directors.

AGENDA ITEM NO. 9

**AUTHORIZATION TO
TRANSPLANT SAN DIEGO
AMBROSIA WITHIN THE
WESTERN RIVERSIDE
COUNTY MULTIPLE SPECIES
HABITAT CONSERVATION
PLAN AREA**

Regional Conservation Authority**AUTHORIZATION TO TRANSPLANT SAN DIEGO AMBROSIA
WITHIN THE WESTERN RIVERSIDE COUNTY MULTIPLE SPECIES
HABITAT CONSERVATION PLAN AREA****Staff Contact:****Charles V. Landry
Executive Director
(951) 955-9700****Background:**

On January 13, 2015, the County Board of Supervisors adopted Resolution No. 2015-030, Notice of Intention to Exchange Real Property in the City of Lake Elsinore, proposing to convey approximately 48 acres of vacant land to Castle & Cooke in exchange for the conveyance by Castle & Cooke of 49 acres of vacant land located adjacent to County-owned property. Final action on the Lot Line Adjustment Application is expected later this year.

The County of Riverside acquired the approximately 548 acre parcel in 2004 for MSHCP conservation. The parcel is located in the City of Lake Elsinore south of I-15 between Lake Street and Nichols Road. As part of this acquisition, the County entered into a Temporary Operations and Permanent Maintenance Easement Agreement (TOPME Agreement), dated December 30, 2004 with T.T. Group. Pursuant to the terms of the TOPME Agreement, the County recorded permanent slope easements and is obligated to maintain manufactured slope areas within the easement upon the completion of certain work. Subsequently, Castle and Cooke Lake Elsinore West acquired the property located adjacent to the County owned property subject to the TOPME Agreement. The County wants to turn over the conservation land to the RCA for long-term management, but the slope maintenance issue has delayed this turnover. RCA has agreed to accept these areas once agreement has been reached on the land exchange.

A portion of the area proposed for conveyance to Castle & Cooke supports San Diego ambrosia, a federally endangered plant and MSHCP covered species, which would need to be relocated. This small population of San Diego ambrosia is only one of three known locations of this plant within the MSHCP area and one of two currently conserved. The City of Lake Elsinore and County of Riverside requested the RCA's assistance in facilitating this relocation. Due to the concerns about the survival of the ambrosia population and in the interest of the MSHCP, RCA is proposing to relocate this plant once the land exchange agreement between the County and Castle and Cooke is finalized. The cost estimate to translocate the San Diego Ambrosia is \$130,000. Additionally, to meet the requirements of translocation, a monitoring and maintenance program is required. This is a ten year program cost of \$20,000 per year. Total relocation costs would be \$330,000.

Agenda Item No. 9 Staff Report

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The relocation of the San Diego ambrosia will protect the population from being destroyed by future development. As part of the land exchange, the slope easement will be extinguished ensuring the County of Riverside and its successor, the RCA, will not be required to maintain large areas of manufactured slopes at great expense using limited management funds. Dudek is the qualified to perform these services and is currently under contract to RCA. There are sufficient funds remaining in the Fiscal Year 2015 contract with Dudek to cover the cost of this relocation; however, a budget adjustment to increase revenue and expenditures in the Management and Monitoring Program will be necessary. Staff is proposing transferring \$130,000 in Participating Special Entity Revenue from the Operations to Management and Monitoring Program. Annual maintenance costs will be included future budgets.

Staff Recommendation:

That the RCA Executive Committee:

1. Recommend that the RCA Board of Directors authorize RCA to fund the relocation, management and monitoring of the San Diego ambrosia utilizing the services of Dudek under their contract with RCA;
2. Recommend that the RCA Board of Directors approve the budget adjustments contained in the attached Exhibit A; and
3. Authorize staff to agendize this matter for the April 6, 2015 meeting of the RCA Board of Directors.

Attachment:

Exhibit A – Budget Adjustment

FINANCIAL INFORMATION	
In Fiscal Year 2015 Budget: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Current Year Cost: \$ 130,000 Annual Cost: \$ 20,000
Source of Funds: Participating Special Entity Revenue	Budget Adjustment: Yes
Approved by:	Date: March 12, 2015

AGENDA ITEM NO. 9

EXHIBIT A BUDGET ADJUSTMENT



DATE	April 6, 2015
TO	Auditor-Controller
FROM	Honey Bernas, Director of Administrative Services (951) 955-2842
SUBJECT	FISCAL YEAR 2015 BUDGET ADJUSTMENTS (FUND 51630)

Background:

On April 6, 2015, the RCA Board of Directors approved the Fiscal Year 2015 budget adjustments contained herein.

Requested Action:

That the Auditor-Controller make the following budget adjustments:

Operations (935100)

Decrease Estimated Revenue

722000	Participating Special Entities	\$	130,000
Total Decrease to Revenues		\$	130,000

Management and Monitoring (935300)

Increase Estimated Revenue

722000	Participating Special Entities	\$	130,000
Total Increase to Revenues		\$	130,000

Increase Appropriations

527980	Contracts	\$	130,000
Total Increase to Appropriations		\$	130,000

APPROVED BY: _____ DATE: _____
John F. Tavaglione, Chairman
RCA Board of Directors