

MEMORANDUM OF UNDERSTANDING

Santa Margarita and San Luis Rey Watersheds Weed Management Area

8/28/2006

Participants

This Memorandum of Understanding (MOU) is made and entered into by and among Mission Resource Conservation District and stakeholders on the watershed which may include any of the following plus other stakeholders:

San Luis Rey Watershed Council, CNLM, Fallbrook Land Conservancy, The Nature Conservancy, Fallbrook Public Utilities District, US Army Corps of Engineers, CA Dept of Fish and Game, US Fish and Wildlife Service, Vista Irrigation District, Cities of Oceanside, Murrieta, Temecula, Cleveland National Forest, San Diego County Department of Weights and Measures, SD Parks Department, County of SD, County of Riverside, Natural Resource Conservation District, MCB Camp Pendleton, Fallbrook Detachment, CA Dept of Forestry, BLM, and any other organizations wishing to join that are based in, own property in or manage resources in Santa Margarita and San Luis Rey Watersheds.

Authority

The parties are entering into this MOU pursuant to the California Food and Agricultural Code, Section 7272(b) which states:

"A 'weed management area' is a local organization that brings together all interested landowners, land managers (private, city, county, state, federal), special districts, and the public in a county or other geographical area for the purpose of coordinating and combining their actions and expertise to deal with their common weed control problems. The organization shall function under the authority of a mutually developed memorandum of understanding and subject to statutory and regulatory requirements. A weed management area may be voluntarily governed by a chairperson or a steering committee."

Purpose

The purpose of this MOU is to establish a weed management area and define the terms and conditions under which the Santa Margarita and San Luis Rey Watersheds WMA will cooperate and coordinate activities necessary to prevent the introduction, establishment and spread of invasive non-native plants within the Santa Margarita and San Luis Rey watersheds.

Overview

Integrated weed management is a system used to plan and recommend selected methods of management to prevent, contain or control undesirable plant species or group of species using all available strategies and techniques. Together these strategies and techniques are economically and environmentally more effective than any single option. The elements of integrated management include:

- Education and Awareness

- Prevention and Early Detection
- Inventory
- Control (physical/mechanical, biological, chemical, cultural)
- Monitoring and Evaluation

A number of invasive non-native plants are found in the Santa Margarita and San Luis Rey watersheds. An integrated strategy to manage these populations could minimize their negative effects and prevent future infestations of undesirable plant species.

Agreement

It is mutually agreed upon and understood by and among the parties to this MOU that:

A. The chairperson (MRCD- district manager) shall make decisions on matters affecting the weed management area. The chairperson shall consider input from all parties to this MOU in these decisions.

B. The parties will meet at least once per year to provide input to the chairperson. This meeting may be a joint meeting with the San Luis Rey Watershed Council or other watershed based group.

C. The WMA staff shall meet to develop and document a coordinated plan to control invasive non-native plant infestations within the Santa Margarita and San Luis Rey watersheds using the elements of integrated weed management.

D. This MOU may be revised as necessary, by mutual consent of the parties, by issuance of a written amendment signed and dated by all parties.

E. This MOU in no way restricts any party from participation in similar agreements and/or activities with other public or private entities.

F. Interested landowners, land managers (private, city, county, state and federal), special districts, and the public in Santa Margarita and San Luis Rey watersheds may become part of the Santa Margarita and San Luis Rey Watersheds WMA by execution of the signature page entitled "Agreement to Join the Memorandum of Understanding Establishing the Santa Margarita and San Luis Rey Watersheds Weed Management Area" attached as Exhibit A. The executed signature page shall be returned to the chairperson for distribution to all parties to this MOU. The return shall be accomplished by certified mail to the chairperson in care of Mission Resource Conservation District, P.O. Box 1777, Fallbrook, CA 92088-1777.

G. This MOU shall be effective upon execution by a minimum of two (2) parties. This MOU expires on June 1st, 2016. Any party may terminate their participation in this MOU at any time by providing written notice to the chairperson.

H. This MOU is neither a fiscal nor a funds obligation document. Any endeavor involving reimbursement or contribution of funds between the parties to this instrument will be handled in accordance with the laws, regulations, and procedures applicable to each governmental agency, private landowner, or other participant, including those for government procurement and printing. Such endeavors will be outlined in separate agreements that shall be made in writing by representatives of the parties and shall be independently authorized by appropriate statutory authority.

I. Each party shall maintain its own insurance coverage, through commercial insurance, self-insurance or a combination thereof, against any claim, expense, cost, damage or liability arising out of the performance of its responsibilities pursuant to this MOU.

J. Each party shall perform its responsibilities and activities described herein as an independent party and not as an officer, agent, servant, or employee of any of the other parties hereto. Each party shall be solely responsible for the acts and omissions of its officers, agents, employees, contractors, and subcontractors, if any. Nothing herein shall be considered as creating a partnership or joint venture between the parties.

K. Conditions: In consideration of the above premises, the parties agree to perform the activities as follows:

All parties signing this document:

1. Support the WMA through active participation, including, but not limited to: attending meetings, providing input in regards to selection of target non-native plants and control activities, and dissemination of information about WMA activities throughout the party's agency or organization if applicable.
2. Work with the WMA, public agencies, and private landowners to control invasive non-native plant infestations on properties in the Santa Margarita and San Luis Rey watersheds.
3. Cooperate with the WMA, individuals and agencies on control and prevention programs for invasive non-native plants.
4. Aid (providing access, assistance, etc.) in conducting surveys and identifying invasive non-native plant sites throughout the two watersheds.
5. Support the education of the public, growers, ranchers, businesses, and agencies about invasive non-native plants, their identification, and methods of control and prevention.
6. Promote and implement elements of integrated weed management to prevent the establishment and spread of invasive non-native plants in the Santa Margarita and San Luis Rey watersheds.
7. Cooperate in the development of grant proposals to fund local weed management programs.

Effective Date

In witness whereof, the parties hereto have executed this MOU as of the dates written below.

Name/Address of Party to Receive Notices:

Judith Mitchell

Mission Resource Conservation District

P.O. Box 1777

Fallbrook, CA 92088-1777

Mission Resource Conservation District

Group name: _____
Printed Name and Title: _____
Name/Address of Party to Receive Notices: _____

Group name: _____
Signature: _____ Date: _____
Printed Name and Title: _____
Name/Address of Party to Receive Notices: _____

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Group name: _____
Signature: _____ Date: _____
Printed Name and Title: _____
Name/Address of Party to Receive Notices: _____

Fill page out and return to:

Judith Mitchell

Mission Resource Conservation District

P.O. Box 1777

Fallbrook, CA 92088-1777

(760) 728-1332

**Agreement to Join the Memorandum of Understanding
for the Santa Margarita and San Luis Rey Watersheds
Weed Management Area**

_____ (*name of party*) hereby agrees to be part of the
Santa Margarita and San Luis Rey Watersheds Weed Management Area created on
_____ (*date*). _____ (*name of
party*) agrees to comply with and be bound by the terms of the Memorandum of Understanding
for the Santa Margarita and San Luis Rey Watersheds Weed Management Area attached hereto
and incorporated herein by reference.

In witness whereof, the party hereto has executed this agreement as of the date written below.

Signature: _____ Date: _____

Printed Name and Title: _____

Name/Address of Party to Receive Notices:

