

*Regional Conservation Authority***AGREEMENT NO. 08002 BETWEEN THE WESTERN RIVERSIDE COUNTY
REGIONAL CONSERVATION AUTHORITY AND U.S. DEPARTMENT
OF THE INTERIOR FISH AND WILDLIFE SERVICE FOR PARTIAL
ANNUAL FUNDING OF AN INTERIM MONITORING PROGRAM
ADMINISTRATOR/MONITORING PROGRAM COORDINATOR****Staff Contact:****Ken Graff, Director of Land
Acquisition and Property Mgt.
951-955-8805****Background:**

The Monitoring Program, required of the Regional Conservation Authority by the Multiple Species Habitat Conservation Plan, performs an eight year cyclical survey of all covered species listed in the Plan. The MSHCP specifies that the California Department of Fish and Game will be the Monitoring Program Administrator for the first eight years of implementation. The U. S. Fish and Wildlife Service has provided and funded one person from their Carlsbad office in order to assist the Monitoring Program Administrator.

The California Department of Fish and Game has not yet found a replacement for the Monitoring Program Administrator position which was recently vacated. In the interim, the USFWS employee who acted as the Biological Monitoring Coordinator has assumed the duties of the Monitoring Program Administrator. The USFWS recently advised that they are no longer able to fund the Biological Monitoring Coordinator position without reimbursement. The CDFG position is funded with Federal Grant monies, and the grant funding cannot be used to reimburse USFWS for this position.

In order to maintain continuity in the Monitoring Program, RCA staff desires to retain the USFWS employee. The incumbent will act as the Interim Monitoring Program Administrator until such time as the CDFG fills the position. When the Department fills the Monitoring Program Administrator position, the incumbent will resume the duties of the Monitoring Program Coordinator.

Staff has negotiated with the Service, and they have agreed to continue to provide 50% of the funding for the position. If approved, this position will be funded with savings from the SAWA for the remainder of this fiscal year.

Staff Recommendation(s):

That the Executive Committee:

- 1) Approve Agreement No. 08002 between the RCA and USFWS to provide partial annual funding for an Interim Monitoring Program Administrator/Monitoring Program Coordinator; and
- 2) Authorize staff to agendize this matter for the March 31, 2008 Special Meeting of the RCA Board of Directors.

FINANCIAL INFORMATION	
In Fiscal Year 2007-08 Budget: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Current Year Cost: \$ 60,894 Annual Cost: \$ 83,328
Source of Funds: Tipping Fees	Budget Adjustment: No From To
Approved by: <i>Honey Bernas</i>	Date: March 10, 2008

Attachment:

Agreement No. 08002 between the RCA and USFWS for partial funding of an Interim Monitoring Program Administrator or Biological Monitoring Program Coordinator

AGENDA ITEM NO. 8

Attachment 1

**Agreement No. 08002 between
the RCA and USFWS
for Partial Annual Funding of
an Interim Monitoring Program
Administrator/Monitoring
Program Coordinator**

AGREEMENT BETWEEN Western Riverside County Regional Conservation Authority AND U.S. DEPARTMENT OF THE INTERIOR FISH AND WILDLIFE SERVICE		1. WRCRCA Agreement #:	08002
		2. U.S.F.W.S. Agreement #:	
		3. Total Agreement Amount:	\$ 60,894.00
		4. Effective Date:	Upon signature
5a. <small>[ADDRESS, OFFICE]</small> Western Riverside County Regional Conservation Authority (WRCRCA) 4080 Lemon Street, 12 th Floor Riverside, CA 92501 (951) 955-9700 fax (951) 955-8873		6a. FISH & WILDLIFE SERVICE DATA <small>[ADDRESS, OFFICE]</small> U.S. Fish and Wildlife Service Carlsbad Fish and Wildlife Office 6010 Hidden Valley Road Carlsbad, CA 92009 760-431-9440 fax 760-431-5902	
5b. Select One: <input checked="" type="checkbox"/> Buyer <input type="checkbox"/> Seller		6b. Select One: <input type="checkbox"/> Buyer <input checked="" type="checkbox"/> Seller	
5c. DUNS#:	808554336	6c. DUNS#:	949149801
7. PROJECT TITLE: Western Riverside MSHCP Monitoring Program Coordinator/Interim Monitoring Program Administrator			
8. SCOPE OF WORK <small>[DETAIL THE BACKGROUND, PURPOSE, SPECIFIC OBLIGATIONS OF EACH PARTY - USE ADDITIONAL PAGE(S) IF NECESSARY]</small> WRCRCA will provide annual funding for the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Interim Monitoring Program Administrator or Monitoring Program Coordinator position. The incumbent serves as the interim Western Riverside County MSHCP Biological Monitoring Program Administrator or the Biological Monitoring Program Coordinator. The MSHCP is a nationally significant, highly complex, regional habitat conservation plan for highly urbanized and quickly developing western Riverside County in southern California. The purpose of the Biological Monitoring Program is to collect data on the 146 covered species and associated vegetation communities for the purpose of assessing the MSHCP's effectiveness at meeting its conservation objectives and to provide information to the Adaptive Management Program. The Monitoring Program Administrator and Coordinator are responsible for the implementation of the MSCHP Biological Monitoring Program. The MSHCP specifies that the California Department of Fish and Game (Department) will be the Monitoring Program Administrator. The Department currently is unable to provide a staff person to fill that role. The incumbent will act as the interim Monitoring Program Administrator, inside the scope of this contract, until such time as the Department fills the position. When the Department fills the Monitoring Program Administrator Position, the incumbent will resume the duties of the Monitoring Program Coordinator. Monitoring Program Administrator duties include: <ul style="list-style-type: none"> • Management of 1.5 million dollar Monitoring Program Budget • Hiring and Management of Monitoring Program Staff • Management of Contracts for Services and Training • Production of the Annual Work Plan • Production of the Annual Report • Coordination with the Wildlife Agencies and Regional Conservation Authority Monitoring Program Coordinator duties include: <ul style="list-style-type: none"> • Supervision of Monitoring Program Staff • Direction of Monitoring Program Field Effort • Coordination with Reserve Managers • Supervision of Staff Training • Production of Survey Reports • Coordination with the Wildlife Agencies and Regional Conservation Authority The incumbent is an employee of the Service and specifically not an employee of the WRCRCA and shall at all times be under the Service's exclusive direction and control. The WRCRCA is not responsible for any benefits or any other compensation not specifically set forth in this agreement. The incumbent is a Federal Government employee and the U.S. Government is self-insured in the area of liability of Government employees. Either party may terminate this agreement with 30 days written notice.			
9. SPECIAL PROVISIONS: (1) THIS AGREEMENT MAY BE MODIFIED BY MUTUAL CONSENT OF BOTH PARTIES. (2) IT MAY BE TERMINATED BY 30-DAY PRIOR WRITTEN NOTICE BY EITHER PARTY. ALLOWABLE COSTS INCURRED THROUGH DATE OF TERMINATION SHALL BE REIMBURSED UNDER THIS AGREEMENT. Should disagreement arise on the interpretation of the provisions of this agreement or amendments and/or revisions thereto, that cannot be resolved at the operational level, the area(s) of disagreement shall be stated in writing by each party and presented to the other party for consideration. If agreement on interpretation is not reached within thirty (30) days, the parties shall forward the written presentation of the disagreement to respective higher officials for appropriate resolution.			

<p>10. Project Officer <small>[NAME, OFFICE, ADDRESS, PHONE, FAX, E-MAIL]</small></p> <p>Joe Richards Western Riverside County Regional Conservation Authority 4080 Lemon Street, 12th Floor P.O. Box 1667 Riverside, CA 92501-1605 (951) 955-9700 fax (951) 955-8873</p>	<p>11. FWS PROJECT OFFICER <small>[NAME, OFFICE, ADDRESS, PHONE, FAX, E-MAIL]</small></p> <p>Jim Bartel U.S. Fish and Wildlife Service Carlsbad Fish and Wildlife Office 6010 Hidden Valley Road Carlsbad, CA 92009 760-431-9440 fax 760-431-5902</p>	
<p>12. PERIOD OF PERFORMANCE:</p> <p>This Agreement shall become effective upon signature by the Parties and remain in effect until September 30, 2008, unless terminated earlier.</p>		
<p>13. ESTIMATED PRICE/COSTS: SEE BLOCK 3</p> <p>Funds in the amount of \$ 60,894.00 are available to complete the work as identified in the Scope of Work (see Block 8) and for the period specified in Blocks 4 and 12 above. WRCRCA will provide an advance payment of \$ 41,664.00 payable to the FWS. WRCRCA will make one additional payment of \$19,230 to the FWS when remaining funds drop below \$10,000.00. Expenditures in excess of this amount will not be reimbursed without a fully signed modification to this agreement.</p>		
<p>14a. METHOD OF PAYMENT AND BILLING INSTRUCTIONS:</p> <p>A. Upon signature of this agreement, WRCRCA shall provide the FWS advance payment of \$ 41,664.00</p> <p>B. FWS (CFWO) will invoice WRCRCA whenever the amount left in the Agreement account drops below \$10,000</p> <p>C. Payment will be made directly to the FWS, and will note the project number of this Agreement. Payments will be directed to: U.S. Fish and Wildlife Service Division of Budget and Finance Attn: Darla Smith 911 NE 11th Ave. Portland, OR 97232-4181 503-231-2242</p> <p>D. Upon completion or termination of this Agreement, the Service shall refund any remaining funds in excess of prorated expenditures.</p>		
<p>14b. BILLING SCHEDULE: <small>[SELECT ONE]</small> <input type="checkbox"/> MONTHLY, <input type="checkbox"/> QUARTERLY, <input type="checkbox"/> SEMI-ANNUALLY, <input checked="" type="checkbox"/> OTHER <small>[SPECIFY]</small> Advance payments per No. 14a. above.</p>		
<p>14c <small>[NAME, OFFICE, ADDRESS, PHONE, FAX, E-MAIL]</small></p> <p>Honey Bernas Director of Administrative Services Western Riverside County Regional Conservation Authority 4080 Lemon Street, 12th Floor P.O. Box 1667 Riverside, CA 92502-1605 Phone: (951) 955-2842 Fax: (951) 955-8873 E-mail: hbernas@rctlma.org</p>	<p>14d. FWS BILLING CONTACT <small>[IF DIFFERENT THAN BOX 19A, PROVIDE: NAME, OFFICE, ADDRESS, PHONE, FAX, E-MAIL]</small></p> <p>Sue Fahey U.S. Fish and Wildlife Service Carlsbad Fish and Wildlife Office Carlsbad, CA 92009 760-431-9440 fax 760-431-5901</p>	
<p>15. AUTHORITY: <small>[CITE APPLICABLE AUTHORITY TO ENTER INTO THIS AGREEMENT; I.E. ECONOMY ACT OF 1932 (31 USC 1535)]</small></p> <p>Intergovernmental Cooperation Act of 1968; Fish and Wildlife Act of 1956; Endangered Species Act of 1973, as amended</p>		
<p>16a. <small>[NAME, TITLE, ADDRESS, PHONE, FAX, E-MAIL]</small></p> <p>Eugene Montanez, Chairman Western Riverside County Regional Conservation Authority Board of Directors</p>	<p>16b. AUTHORIZING OFFICIAL SIGNATURE</p> <p>ATTEST: _____ Honey Bernas, Clerk of the Board</p>	<p>16c. DATE</p>
<p>16d. AUTHORIZING OFFICIAL FOR FWS <small>[NAME, TITLE, ADDRESS, PHONE, FAX, E-MAIL]</small></p> <p>Paul Henson Assistant Regional Director, Ecological Services U.S. Fish and Wildlife Service, Region 8 2800 Cottage Way, Suite W2606 Sacramento, CA 95825-1846</p>	<p>16e. AUTHORIZING OFFICIAL SIGNATURE</p>	<p>16f. DATE</p>