



Western Riverside County Regional Conservation Authority

MEMORANDUM

June 2008

TO: MSHCP Local Permittees

FROM: Charles Landry, RCA Executive Director

RE: June 2008 MSHCP Implementation Manual Supplement

Enclosed please find your June 2008 MSHCP Implementation Manual supplement package. The following summary is provided to assist you with this manual updating process. In some cases, each existing page(s) should be removed and replaced by the relevant replacement page(s) and in other cases, add in the supplemental materials to the end of the specified section. Incorporation of these replacement pages will in effect update the August 2007 MSHCP Implementation Manual.

Existing Manual Page/Section	Number of Existing Pages	Replacement Manual Page/Section	Number of Replacement Pages
P. 3-7, Section 3 – end of 1 st Paragraph	One paragraph	Insert new paragraph after 1 st Paragraph on Page 3-7.	One paragraph
P. 3-10, Section 3	n/a	Sections 3.4 through 3.5.3	6
P. A1-1 thru A7-1 and A9-1 thru A10-2, Appendix A (NOTE: A8 did not change)	20	P. A1-1 thru A7-1 and A9-1 Thru A10-2, Appendix A (NOTE: A8 did not change)	20
P. 6-1 – 6-2, Section 6	2	P. 6-1 – 6.2, Section 6	2
Appendix B-2	0	Appendix B-2, Example Fee Submittal Spreadsheets	3
Appendix D-1, Example DBESP	0	Appendix D-1, Example DBESP	40
		Jan. 22, 2008 Letter from Wildlife Agencies to RCA on Minor Amendments on Land Annexation Process	2

June 2008 - Supplement to August 2007 Permittee Implementation Manual - Section 3 Changes

Insert on page 3-7 of August 2007 version, end of the first paragraph:

The RCA is open to early consultation for projects that will be submitted for the JPR process. Should an applicant or Permittee chose to approach the RCA for early consultation, a member of the Permittee's staff must be present so as to prevent a strategy, conclusion or suggestion, regarding a project's relationship to the MSHCP, from being made outside of the knowledge of the local agency tasked with land use authority over the project.

Please insert (this is a new section at the end of Section 3.3):

3.4 Criteria Refinements

Section 6.5 of the MSHCP describes the process for Criteria Refinements. Criteria refinements are to be used when the Criteria, or area and species called out for Conservation in the Plan, are proposed to be changed. Criteria Refinements may be made without the need to amend the MSHCP when the refined Criteria result in the **same or greater** Conservation value **and** acreage to the MSHCP Conservation Area. The two purposes of Criteria Refinements are:

- 1) correcting minor discrepancies or inaccuracies; and
- 2) evaluating alternative conservation proposals which are equivalent or superior benefit to Covered Species.

Examples of when Criteria Refinements may be necessary:

- 1) new biological information becomes available through site-specific studies;
- 2) updated land use information clearly demonstrates an area as unsuitable for inclusion in the MSHCP Conservation Area (primarily limited to the presence of existing Development) that was unknown at the time the MSHCP Criteria were developed;
- 3) site-specific topography, engineering or design information that materially affects the Development of the site and its relationship to the MSHCP Conservation Area
- 4) other reasons offered by a landowner or individual project proponent.

Criteria Refinements can be requested by Local Permittees, or at the request of a private entity to a Local Permittee. When a private entity proposes a Criteria Refinement, the applicant shall prepare an Equivalency Analysis. Section 6.5 explicitly lays out the requirements for this analysis. The Criteria Refinement shall draw conclusions regarding the degree to which the proposed project (incorporating Criteria Refinements) is considered to be biologically equivalent or superior to a project on the same site, which does not deviate from the MSHCP Criteria. Projects determined to be biologically equivalent or superior shall be determined to be acceptable refinements to the MSHCP Criteria and an amendment to the MSHCP shall not be required prior to approval of such projects. Projects not determined to be biologically equivalent



June 2008 - Supplement to August 2007 Permittee Implementation Manual - Section 3 Changes

or superior through the Equivalency Analysis, shall be determined to be unacceptable deviations from the MSHCP Criteria and an amendment (See Section 6.10 of the Plan) to the MSHCP would be required prior to approval of such projects.

Criteria Refinement Process after Local Permittee concurs with Equivalency Analysis:

- Local Permittee must hold a meet and confer with Wildlife Agencies for only those Criteria Refinements proposed outside of the Criteria Area;
- Local Permittee Notifies Wildlife Agencies, RCA and other affected Local Permittees as well as affected property owners in writing of proposed Criteria Refinement;
- Proposed Criteria Refinement noticed as agenda item on RCA Board Agenda;
- 60 day review and comment period for Wildlife Agencies. Wildlife Agency concurrence is only needed if Criteria Refinement is located outside the Criteria Area.
- In event of disagreement, RCA Staff will schedule and hold a meeting with affected parties within 30 days of the end of the Wildlife Agency 60-day comment period;
- If parties are unable to resolve disputed issues, the matter may be appealed to the RCA Board for final determination. It should be noted that these procedures do not impede the local land use authority.

3.4.1 RCA Policy

The RCA adopted a policy related to Criteria Refinements in March 2006. Then in June 2007 that policy was modified to clarify the roles of the City and County in proposed Criteria Refinements. In general, the RCA's policy sets forth the following responsibilities:

- When the County or a City elects to undertake a Criteria Refinement associated with a specific Project, then a "Habitat Evaluation and Acquisition Negotiation Strategy" (HANS) or equivalent process must be completed, prior to initiating the process.
- The County or City would document the need for the criteria refinement and provide that documentation to the RCA.
- The County or City can prepare or have prepared a draft biological assessment and equivalency analysis to submit to the RCA.

3.5 Plan Amendments

Section 6.10 of the MSHCP address modifications and amendments to the Plan. Any signatory to the Implementing Agreement may seek modifications or amendments to the MSHCP.

3.5.1 Modifications

Section 6.10.1 of the MSHCP describes three types of modifications to the MSHCP: 1) Clerical changes, 2) Land Use Changes and 3) Adaptive Management Changes.



June 2008 - Supplement to August 2007 Permittee Implementation Manual - Section 3 Changes

3.5.1.1 Clerical Changes

Clerical Changes are made by the RCA on its own initiative or at the written request submitted by any Permittee or Wildlife Agency. Requests must include documentation supporting the clerical change. Clerical Changes do not require any amendment to the MSHCP, Permits or Implementing Agreement. Examples of Clerical Changes are typographical, grammatical, and similar editing that do not change the intended meaning and corrections of any maps or exhibits to correct insignificant errors in mapping. Annual reports shall include a summary of the Clerical Changes made in that preceding calendar year.

3.5.1.2 Land Use Changes

Land use Changes made by the Cities and County are matters within the sole discretion of the County and Cities and shall not require amendments to the Implementing Agreement. Examples of Land Use Changes include adoption and amendment of General Plans, Specific Plans, Community Plans, zoning ordinances and similar land use ordinances, and granting of land use entitlements. These modifications are allowed under the Plan as long as 1) no such action by the County or Cities shall in any way alter or diminish their obligations under the Implementing Agreement, the MSHCP, the Management and Monitoring Program; and 2) approval of certain projects may lead to revocation or suspension of the Permits pursuant to Section 23.5 of the Implementing Agreement.

3.5.1.3 Adaptive Management Changes

As long as changes to management strategies are consistent with the Adaptive Management Program described in Section 5.0 of the MSHCP, no amendments to the MSHCP, Implementing Agreement or Permits is required.

3.5.2 Minor Amendments

Minor Amendments are discussed in Section 6.10.2 of the MSHCP. Minor Amendments can be proposed for the MSHCP or the Implementing Agreement. Minor Amendments occur when a minor or technical change is proposed where the effect on Covered Species, level of Take and Permittees' ability to implement the MSHCP are not significantly different than those originally described in the MSHCP. Minor Amendments do not require amendments to the Implementing Agreement or Permits.

Minor Amendments are limited to only the following conditions:

- A. Minor corrections to land ownership;



June 2008 - Supplement to August 2007 Permittee Implementation Manual - Section 3 Changes

B. Minor revisions to survey, monitoring, reporting and/or management protocols that clearly do not affect Covered Species or overall MSHCP Conservation Area functions and values;

C. Transfer of target Reserve Assembly acreages between identified Subunits within a single Area Plan and/or between Area Plans within a single Rough Step Analysis Unit consistent with the Criteria, as set forth in *Sections 3.0 and 6.7* of this document;

D. Application of Take Authorization to Development within Cities incorporated within the MSHCP boundaries after the Effective Date of the IA, pursuant to Section 11.6 of the IA provided such inclusion does not preclude Reserve Assembly, significantly increase the cost of MSHCP Conservation Area management or assembly or preclude achieving Covered Species Conservation and goals;

E. Annexation or deannexation of property within the Plan Area pursuant to Section 11.5 of the IA, provided such inclusion does not preclude Reserve Assembly, significantly increase the cost of the MSHCP Conservation Area management or assembly or preclude achieving Covered Species Conservation and goals; and

F. Minor extension of cut or fill slopes outside of the right-of-way limits analyzed in the MSHCP for covered roadways, to accommodate construction in rolling or mountainous terrain.

G. Updates/corrections to the vegetation map and/or species occurrence data.

Minor Amendments can be proposed by any Party, and must be provided in written notice to all Parties. Such notice shall include:

- a description of the proposed Minor Amendment;
- an explanation of the reason for the proposed Minor Amendment;
- an analysis of its environmental effects including any impacts to the Conservation of Covered Species; and
- a description of why that Party believes the effects of the proposed Minor Amendment:

(1) are not significantly different from, and are biologically equivalent to, the terms in the MSHCP as originally adopted;

(2) substantially conforms to the terms in the MSHCP as originally adopted; and



June 2008 - Supplement to August 2007 Permittee Implementation Manual - Section 3 Changes

(3) will not significantly reduce the ability to acquire the Additional Reserve Lands.

The Wildlife Agencies shall submit any comments on the proposed Minor Amendments in writing within sixty (60) days of receipt of such notice. Any Party can institute the informal meet and confer process set forth in Section 23.6 of the IA to resolve disagreements concerning Minor Amendments. For Minor Amendments proposed for Cajalco Road Improvements, State Route 79 Road Improvements and the San Jacinto River Project, as identified in *Section 7.0* of this document, the Wildlife Agencies must concur within sixty (60) days of receipt of such notice. If the Wildlife Agencies do not concur with the analysis supporting the Minor Amendment, the project shall be subject to a Major Amendment. If the Wildlife Agencies concur, or if they fail to respond within the 60-day period, a Minor Amendment for these projects shall be approved.

3.5.3 Major Amendments

Major Amendments are those proposed changes to the MSHCP and the Permits that are not Modifications or Minor Amendments. Major Amendments to the MSHCP shall require a subsequent amendment to the IA and the Permits, and public notice as required by applicable laws and regulations. The RCA shall submit any proposed Major Amendments to the Wildlife Agencies.

Major amendments are, but are not limited to, any of the following:

- A. All amendments not contemplated in the IA as Modifications or Minor Amendments to the MSHCP, except subsequent minor changes which are not specifically listed as a Minor Amendment in the IA that the Wildlife Agencies have determined to be insubstantial and appropriate for implementation as a Minor Amendment;
- B. Changes to the boundary of the MSHCP Plan Area;
- C. Addition of species to the Covered Species list;
- D. Changes in anticipated Reserve Assembly or funding strategies and schedules that would have substantial adverse effects on the Covered Species;
- E. Changes to MSHCP Conservation Area boundaries that are inconsistent with the procedures described in *Sections 3.0 and 6.5* of this document; and
- F. Interpretations of MSHCP Criteria that are inconsistent with the procedures described in *Sections 3.0 and 6.5* of this document.



June 2008 - Supplement to August 2007 Permittee Implementation Manual - Section 3 Changes

Major Amendments shall require the same process followed for the original MSHCP approval. A Major Amendment shall require an amendment to the MSHCP and the IA addressing the new circumstances, subsequent publication and public notification, CEQA/NEPA compliance and intra-Service Section 7 Consultation, if one is deemed necessary. Major Amendments shall be subject to review and approval by the RCA and other Permittees as appropriate, at a noticed public hearing. The Wildlife Agencies shall use reasonable efforts to process proposed Major Amendments within one hundred twenty (120) days after publication.



APPENDIX A-1 RCA Contacts

Staff Name	Title	Phone Number	Email Address
Charles Landry	Executive Director	951-955-9700	clandry@rctlma.org
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Ron Baxter (County Parks)	Management Program Administrator	951-637-6984	rbaxter@co.riverside.ca.us

Note: Parentheses indicate contractors to the RCA.

RCA Main Office

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Management Program

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Monitoring Program

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Implementation Manual Contact

Stephanie Standerfer

Updated June 2008



APPENDIX A-2 Permittee Contacts

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Title	Name	Email Address	Phone
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Director of Public Works	Duane Burk	dburk@ci.banning.ca.us	951-922-3130
Interim Director of Planning	Kristine Clinton	kclinton@ci.banning.ca.us	951-922-3131
Director of Finance	Bonnie Johnson	bjohnson@ci.banning.ca.us	951-922-3105
City Attorney	Julie Biggs	jbiggs@ci.banning.ca.us	951-922-3106
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Director of Public Works	Deepak Moorjani	dmoorjani@ci.beaumont.ca.us	951-769-8520
Director of Finance	Bill Aylward	baylward@ci.beaumont.ca.us	951-769-8520
City Attorney	Joseph Aklufi	aandslaw@aol.com	909-682-5480
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Manager of Planning	Gabriel Elliott	gelliott@cityofcalimesa.net	909-795-9801 x229
Director of Public Works	Bob French	bfrench@cityofcalimesa.net	909-795-9801 x235
Director of Finance	Debbie Cain	dcain@cityofcalimesa.net	909-795-9801 x230
City Attorney	Peg Battersby	pbattersby@rwglaw.com	213-626-8484
<i>MSHCP Contact (Planning)</i>	Gus Romo	gromo@cityofcalimesa.net	909-795-9801 x 229
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City Planner	Mario Suarez	msuarez@cityofcanyonlake.com	951-244-2955
City Clerk	Kathy Bennet	Kathy@cityofcanyonlake.com	951-244-2955
Director of Finance	Lori Moss	lmoss@cityofcanyonlake.com	951-244-2955
City Attorney	Elizabeth Martyn	kbennett@cityofcanyonlake.com	951-244-2955
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Director of Finance	Debra Foster	Debra.Foster@ci.corona.ca.us	951-736-2275
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Moreno Valley, City of

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Director of Planning	Asher Hartel,	ahartel@sanjacintoca.us	951-487-7330
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Director of Finance	Genie Roberts	genie.roberts@cityoftemecula.org	951-694-6430
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Riverside, County of

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Director of TLMA	George Johnson	gjohnson@rctlma.org	951-955-6742
Director of Planning	Ron Goldman	rgoldman@rctlma.org	951 955-3265
Attorney (County Council)	Karin Watts-Bazan	kwattsba@co.riverside.ca.us	951-955-6316
<i>MSHCP Contact (Planning)</i>	Carolyn Syms-Luna, <i>Director EPD</i>	cluna@rctlma.org	951-955-6097
	Greg Neal, <i>Depuly Director EPD</i>	gneal@rctlma.org	951-955-3266
<i>MSHCP Contact (Transp.)</i>	Laurie Dobson-Correa	ldcorrea@rctlma.org	951-955-6800
<i>MSHCP Contact (Finance)</i>			

Riverside County Waste

14310 Frederick Street
 Moreno Valley, CA 92553
 Phone #: 951-486-3200
 Planning Department Fax #: 951-486-3280
 Finance Department Fax #:

Title	Name	Email Address	Phone
Director of Planning	Leslie Likins	llikins@co.riverside.ca.us	951-486-3280
Director of Finance	Justine K Quinones	jquinones@co.riverside.ca.us	951-486-3234
Attorney			
<i>MSHCP Contact (Planning)</i>	Leslie Likins	llikins@co.riverside.ca.us	951-486-3280
<i>MSHCP Contact (Finance)</i>			



Riverside County Flood Control and Water Conservation District

1995 Market Street
 Riverside CA 92501
 Phone #: 951-955-1200
 Planning Department Fax #: 951-788-9965

Title	Name	Email Address	Phone
District Manager	Dusty Williams	dwilliams@co.riverside.ca.us	951-955-1250
Director of Finance	Ivan Chand	imchand@co.riverside.ca.us	951-955-1261
Attorney (County Council)	Karin Watts-Bazan	kwattsba@co.riverside.ca.us	951-955-6316
<i>MSHCP Contact (Planning)</i>	Teresa Tung	ttung@co.riverside.ca.us	951-955-1233

Riverside County Parks and Open Space District

4600 Crestmore Road
 Riverside CA 92509-6858
 Phone #: 951-
 Fax #: 951-955-4305

Title	Name	Email Address	Phone
District Manager	Paul Frandsen	pfrandsen@co.riverside.ca.us	951-955-4310
Director of Finance	Cedar Quinones	cquinones@co.riverside.ca.us	951-955-4317
<i>MSHCP Contact (Planning)</i>	Scott Bangle	sbangle@co.riverside.ca.us	951-955-9658
<i>MSHCP Contact (Finance)</i>			

Riverside County Transportation Commission

4080 Lemon Street, 3rd Floor
 Riverside, CA 92501
 Phone #: 951-787-7141
 Planning Department Fax #: 951-787-7920
 Finance Department Fax #: 951-951-787-7906

Title	Name	Email Address	Phone
Director of Planning	Shirley Medina, <i>Program Manager</i>	smedina@rctc.org	951-787-7141
Director of Finance	Theresia Trevino, <i>Chief Financial Officer</i>	ttrevino@rctc.org	951-787-7141
<i>MSHCP Contact (Planning)</i>	Cathy Bechtel, <i>Principal Planner</i>	cbechtel@rctc.org	951-787-7141
<i>MSHCP Contact (Finance)</i>			



Caltrans

District 8
464 West 4th Street
San Bernardino, CA 92401-1400
Phone #: 909-383-6914
Planning Department Fax #:

Title	Name	Email Address	Phone
District 8 Superintendent	Michael Perovich	michael_perovich@dot.ca.gov	909-383-6914
Environmental Director	Ernie Figueroa	ernie_figueroa@dot.ca.gov	909-388-7725
<i>MSHCP Contact</i>	Russell Williams, <i>Senior Environmental Planner</i>	russell_williams@dot.ca.gov	909-383-6936

California State Parks

Inland Empire Division
17801 Lake Perris Drive
Perris, CA 92571
Phone #: 951-443-2423
Fax #: 951-657-2736

Title	Name	Email Address	Phone
District Director	Gary Watts	gwatts@parks.ca.gov	951- 443-2423
<i>MSHCP Contact</i>	Gary Watts	gwatts@parks.ca.gov	951- 443-2423



APPENDIX A-3 Wildlife Agency Contacts

United States Fish and Wildlife Service

Carlsbad Field Office
6010 Hidden Valley Road
Carlsbad, California 92011
Phone: 760-431-9440
Western Riverside County Team Fax: 760-918-0638

Key Staff Contacts:

Jim Bartel	Field Office Supervisor	James_bartel@fws.gov	x212
Karen Goebel	Assistant Field Supervisor	Karen_goebel@fws.gov	x296
Doreen Stadtlander	Western Riverside County Division Chief	Doreen_stadtlander@fws.gov	x223
Kathleen Pollett	Western Riverside County Staff Biologist	Kathleen_Pollett@fws.gov	x357
Sally Brown	Western Riverside County Staff Biologist	Sally_Brown@fws.gov	x278

California Department of Fish and Game

Inland Deserts Regional Office
3602 Inland Empire Boulevard, Suite C-220
Ontario, California 91764
Phone: 909-484-0167
Western Riverside County Fax: 909-481-2945

Key Staff Contacts:

Curt Taucher	Regional Manager	ctaucher@dfg.ca.gov	562-596-4212
Kim Nicol	Senior Environmental Scientist	knicol@dfg.ca.gov	760-200-9178
Scott Dawson	Senior Environmental Scientist	sdawson@dfg.ca.gov	909-987-7764
Leslie MacNair	Staff Environmental Scientist	lmacnair@dfg.ca.gov	949-458-1754
Magdalena Rodriguez	Environmental Scientist	mcrodriguez@dfg.ca.gov	909- 945-3294
Kelly Schmoker	Environmental Scientist	kschmoker@dfg.ca.gov	909-980-8607



APPENDIX A-4 RCA Board of Directors (2008)

Function

The RCA Board of Directors shall serve as the governing body of the Western Riverside County Regional Conservation Authority.

Officers

Eugene Montanez, Chairman – City of Corona
Bob Buster, Vice Chairman – County of Riverside, District I
Jeff Stone, Past Chairman – County of Riverside, District III

Board Members

John Machisic – City of Banning
Larry Dressell – City of Beaumont
Jim Hyatt – City of Calimesa
John Zaitz – City of Canyon Lake
Robin Lowe – City of Hemet
Robert Schiffner – City of Lake Elsinore
Charles White – City of Moreno Valley
Gary Thomasian – City of Murrieta
Frank Hall – City of Norco
Mark Yarbrough – City of Perris
Andy Melendrez – City of Riverside
Dale Stubblefield – City of San Jacinto
Maryann Edwards – City of Temecula
John Tavaglione – County of Riverside, District II
Roy Wilson – County of Riverside, District IV
Marion Ashley – County of Riverside, District V

Staff

Charles Landry, Executive Director
Honey Bernas, Clerk of the Board

Meeting Logistics

- **Dates.** The first Monday of each month at 1:00 pm. Note – if the first Monday of the month falls on a holiday, the meeting will be held on the second Monday.
- **Location.** County Administrative Center, Board Room, 4080 Lemon Street, Riverside, California



- **Agendas.** Agenda items may be submitted to the RCA Executive Director by any member of the JPA by the Thursday before posting of the agenda. Agendas are posted on the RCA website: www.wrc-rca.org at least 72 hours in advance of the meeting.
- **Minutes.** Minutes are available after approval by the Board of Directors. Minutes are posted on the RCA website: www.wrc-rca.org.

Administrative Guidelines

- Ordinances and resolutions will be numbered sequentially using the following format: yy-nn, where y is the year number and n is the ordinance or resolution number. For example, the ordinance establishing property acquisition policies is Ordinance 04-02. Ordinance and resolution numbers will be assigned by Clerk of the Board or designee.
- All staff requests to place an item on the agenda shall be made to the Executive Director. The Executive Director will have final staff authority over which items will be agendized. Items may be agendized up to the time the agenda is posted for public review. Late-breaking agenda items may be authorized by the Board by a motion approved by two thirds of the Board members in a manner consistent with the Brown Act. The Executive Director will receive approval as to form from the Authority's counsel before posting the agenda for public review. Each agenda will make provision for public comment. Any member of the Board of Directors may require that an item be placed on the agenda at the next meeting, whether it is a regular meeting or a special meeting, provided that the agenda has not yet been posted for public review.
- Ordinances and resolutions must be signed by the Authority's Chairperson or designee. The Executive Director is authorized to sign any other documents on behalf of the RCA when the Authority has elected, by ordinance or resolution, to approve the Authority's execution of the document.



APPENDIX A-5 RCA Executive Committee (2008)

Function

This committee shall oversee JPA administrative functions and staff functions, recommend staff positions, job descriptions, and salaries, and consider such other matters as delegated to it by the Board. Note – the Executive Committee was formerly titled the Administrative Committee.

Officers

Eugene Montanez, Chairman – City of Corona
Bob Buster, Vice Chairman – County of Riverside District I
Jeff Stone, Past Chairman – County of Riverside District III

Committee Members

Larry Dressel – City of Beaumont
Jim Hyatt – City of Calimesa
Gary Thomasian – City of Murrieta
Andy Melendrez – City of Riverside

Staff

Charles Landry, Executive Director
Honey Bernas, Clerk of the Board

Meeting Logistics

- **Dates.** The third Wednesday of each month at 12:00 noon.
- **Location.** County Administrative Center, 5th Floor, Conference Room C.
- **Agendas.** Agenda items may be submitted to the Executive Director by any member of the JPA prior to the posting of the agenda. Agendas are posted on the RCA website: www.wrc-rca.org.
- **Minutes.** Minutes are available once they have been approved by the RCA Executive Committee. Minutes are posted on the RCA website: www.wrc-rca.org.



APPENDIX A-6 Funding Coordination Committee (2008)

Function

This committee shall provide recommendations to the Board of Directors on funding priorities and strategies for MSHCP Conservation Area acquisitions. Additionally, this Committee shall provide a forum to discuss land acquisition priorities of the US Fish and Wildlife Service and California Department of Fish and Game and acquisitions by other entities using non-local sources of revenue.

Committee Members

Eugene Montanez, Chairman – City of Corona
Bob Buster, Vice Chairman – County of Riverside District I
Jeff Stone, Past Chairman – County of Riverside District III
Dale Stubblefield – City of San Jacinto
Gary Thomasian – City of Murrieta
Marion Ashley – County of Riverside, District V
Kimberly Nicol, California Department of Fish and Game
Karen Goebel, United States Fish and Wildlife Service

Meeting Logistics

- **Dates.** Twice annually. All Planning Directors from the County and Cities are invited to participate in meetings of this committee.
- **Location.** Not specified. To be determined on a meeting-by-meeting basis.
- **Agendas.** Agenda items may be submitted to the Executive Director by any member of the JPA prior to the posting of the agenda. Agendas are posted on the RCA website: www.wrc-rca.org.
- **Minutes.** Minutes are available after the meeting. Minutes are posted on the RCA website: www.wrc-rca.org.



APPENDIX A-7 Reserve Management Oversight Committee (2008)

Function

This Committee shall serve as the intermediary between the Reserve Managers and the decision-making function of the JPA.

Note – As of August 2007, this Committee is being reconfigured and new membership will be appointed in the near future. This information is based on a directive contained in the MSHCP. Modifications to this committee may be forthcoming.

Chair

Charles Landry, RCA Executive Director

Representatives

US Fish and Wildlife Service
California Department of Fish and Game
Riverside County Regional Parks and Open Space District
Bureau of Land Management
US Forest Service
California Department of Parks and Recreation

Staff

Charles Landry, RCA Executive Director
Ken Graff, Director of Land Acquisition and Property Management
Ron Baxter, Management Program Administrator

Meeting Logistics

- **Dates.** Twice annually or more frequently as needed.
- **Location.** Not specified – to be determined on a meeting-by-meeting basis.
- **Access.** Meetings of the RMOC are open to the public.
- **Agendas.** Agenda items may be submitted to the RCA Executive Director prior to posting of the agenda. Agendas are posted on the RCA website: www.wrc-rca.org
- **Minutes.** Minutes are available after the meeting. Minutes are posted on the RCA website: www.wrc-rca.org.



APPENDIX A-9 Stakeholders' Committee (2008)

Function

This Committee shall review implementation plans from a stakeholder perspective and perform such other duties as directed by the RCA Board of Directors. Note – This committee is called the Implementation and Guidance Committee in the MSHCP; however, its name was changed in the RCA Bylaws to “Stakeholders’ Committee.”

Chair

Charles Landry, RCA Executive Director

Committee Members

None appointed for 2007/2008

Meeting Logistics

- **Dates.** Twice annually or more often as necessary.
- **Location.** Not specified. To be determined on meeting-by-meeting basis.
- **Access.** Meetings are open to the public.
- **Agendas.** Agenda items may be submitted to the RCA Executive Director prior to posting of the agenda. Agendas are posted on the RCA website: www.wrc-rca.org.
- **Minutes.** Minutes are available after the meeting. Minutes are posted on the RCA website: www.wrc-rca.org.



APPENDIX A-10 Elected Officials' Ad Hoc Committee (Year 2008)

Function

This committee is called if the Permittee and RCA staff are unable to reach resolution regarding the consistency of a development project. This committee hears the matter and resolves the issue at the conclusion of the meeting.

Representatives

The Ad Hoc Committee is made up of elected officials representing the RCA and Permittees. Because this committee meets on a very limited basis and only when disagreements between Permittees and the RCA over a project's relationship with the MSHCP cannot be worked out through the JPR and Meet and Confer processes, committee members are assembled differently depending on the circumstances.

If the subject project is within a City, the following individuals shall comprise the Ad Hoc Committee:

- 1) The member representing the City in which the project is located.
- 2) The County Supervisor of the District in which the City is located.
- 3) A member representing an adjacent City.
- 4) A second County Supervisor.
- 5) A member representing another City.

If the subject project is within the unincorporated County, the following individuals shall comprise the Ad Hoc Committee:

- 1) The County Supervisor of the District in which the project is located.
- 2) The City member who represents the City nearest the project, or whose City's sphere of influence contains the project.
- 3) Two additional County Supervisors.
- 4) A member representing another City.

The RCA Board Chairman may alter the membership based on the circumstances associated with the project.

The project proponent shall be invited to the meeting.

Meeting Logistics

- **Dates.** No set meeting dates. The committee shall find a mutually acceptable date and time to meet, but no later than 30 days following the appointment of the committee by the Chairman.
- **Leadership.** The committee shall appoint a chair for purposes of conducting the meeting.
- **Agendas.** The staff of the RCA and Permittee shall present the issues to be resolved.



- **Project Proponent Involvement.** The project proponent shall be permitted to address the committee and offer any relevant information that may assist the committee in its decision making.
- **Decision Making.** The committee shall render a decision at the meeting.
- **Access.** Meetings of this committee are open to the public.
- **Summary.** A summary of the meeting and the decision made will be made available to the public if requested.



SECTION 6

FEE COLLECTION AND REPORTING

6.1 FEE REQUIREMENTS

MSHCP Section 8.5 states that the County and the Cities shall adopt fee ordinances establishing Local Development Mitigation Fees that will be a primary source of MSHCP Program funding. The County and the Cities shall transmit all collected Local Development Mitigation Fees to the RCA on at least a quarterly basis. Resolution No. 07-04, Resolution of the Board of Directors of Western Riverside County Regional Conservation Authority Revising Its Fee Collection and Remittance Policy, requires that fees be remitted on a monthly basis. Appendix B includes sample Fee Submittal Forms which shall be submitted to RCA on a monthly basis. Appendix A notes the RCA contact for any MSHCP Mitigation Fee questions.

DEVELOPMENT PROJECTS. As stated in Section 8.5, the fee ordinance adopted by the Cities and the County will provide for an annual Consumer Price Index (CPI) adjustment based upon the CPI (per criteria for “All Urban Consumers in the Los Angeles-Anaheim-Riverside Area”), measured as of the month of December in the calendar year which ends in the previous Fiscal Year. As noted in Section 8 of the MSHCP, the fee may be reevaluated and revised should it be found to insufficiently cover mitigation of new development. The MSHCP indicates that at the time of MSHCP adoption (2003-2004), a fee of \$1,500 per residential unit (or an equivalent fee per acre) and \$4,800 per acre of commercial or industrial development shall be imposed. Appendix B includes a list of each Permittee’s current Local Development Mitigation Fee schedule. The following is the fee schedule effective July 1, 2008.

Fees effective July 1, 2008

Fee Category	FY 08-09	Fee per
Residential, density less than 8.0 dwelling units per acre	\$1,938	dwelling unit
Residential, density between 8.0 and 14.0 dwelling units per acre	\$1,241	dwelling unit
Residential, density greater than 14.0 dwelling units per acre	\$1,008	dwelling unit
Commercial	\$6,597	acre
Industrial	\$6,597	acre

As set forth in Section 8.5.1 of the MSHCP, the Riverside County General Plan creates several incentive plans that can aid in the conservation of lands through non-acquisition means, including payment of a density bonus fees by developers. The incentive program enables developers to acquire the right to develop an additional 25% of units (i.e., increase density) in exchange for conservation of additional land on their project site. Through conservation of land described for conservation in the MSHCP, the developer is “buying” a density bonus. The Density Bonus Fee is anticipated to be \$3,000 to \$5,000 per



additional unit; however, it is up to each Permittee to outline per local development fee structures. This program offers a significant incentive to developers when compared with the typical cost of creating a new buildable lot.

PUBLIC FACILITY PROJECTS. As outlined in the MSHCP, public facility projects must contribute a portion of their overall project budget toward MSHCP mitigation obligations. The following percentages should be used for each type of project:

- **Within Existing Public/Quasi-Public Lands.** When development is proposed in PQP Land, the Permittee must ensure that a replacement property of similar or greater biological value is located and purchased/donated to accommodate for the loss of the designated PQP Land. There is no fee system or fee payment associated with a “Public/Quasi-Public Trade-Out” action.

- **Within the Criteria Area.** Public facility projects that are “Covered Activities” as defined in Section 7.0 of the MSHCP shall pay a percentage of capital costs as a contribution to the MSHCP program.

- **Non-Permittee Public Projects (Participating Special Entities).** For regional utility projects that will be constructed to serve private development, such as major trunk lines, Participating Special Entities shall pay a fee in the amount of 5% of total capital costs or take such other actions as may be agreed to by the RCA and the Wildlife Agencies. For such activities that will result in only temporary impacts and disturbance, Participating Special Entities shall pay a fee in the amount of 3% of total capital costs or other appropriate measures as may be agreed to by the RCA and the Wildlife Agencies. Public district or agency projects that will be constructed to serve public development, such as new schools and treatment plants, shall be required to pay a fee equivalent to the Local Development Mitigation Fees (utilizing commercial and/or industrial development fee rates) or take other appropriate actions as may be agreed to by the RCA and the Wildlife Agencies.





U.S. Fish and Wildlife Service
Carlsbad Fish and Wildlife Office
6010 Hidden Valley Road
Carlsbad, California 92011
(760) 431-9440
FAX (760) 431-5902 + 9618



California Department of Fish & Game
Inland Deserts Region
3602 Inland Empire Blvd., Ste C-220
Ontario, California 91764
(909) 484-0459
FAX (909) 481-2945

In Reply Refer To:
FWS/CDFG-08B0284-08TA0276

JAN 22 2008

Joe Richards
Acting Executive Director
Western Riverside County Regional Conservation Authority
P.O. Box 1605
Riverside, California 92502-1605

Subj: Proposed Minor Amendment to the Western Riverside County Multiple Species
Habitat Conservation Plan (MSHCP) Land Annexation Process, Riverside
County, California

Dear Mr. Richards:

The U. S. Fish and Wildlife Service (Service) and the California Department of Fish and Game (Department), hereafter collectively referred to as the "Wildlife Agencies," have reviewed your request dated January 10, 2007, for the Wildlife Agencies' concurrence for a "generic minor amendment" regarding land annexations within the Multiple Species Habitat Conservation Plan (MSHCP) Area. Section 20.4.1(E) of the MSHCP Implementing Agreement and section 6.10.2 of the MSHCP identified the minor amendment process as the procedure to address land annexations within the MSHCP Plan Area. The minor amendment process is provided to MSHCP Permittees for property annexations that will not preclude reserve assembly, significantly increase the cost of MSHCP Conservation Area management or assembly, or preclude achieving Covered Species conservation goals.

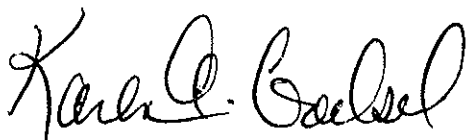
The MSHCP states that minor amendments require written notice to the Wildlife Agencies explaining the reasons for the proposed Minor Amendment, an analysis of its environmental effects, and a description as to why the minor amendment: 1) does not significantly differ from the terms of the MSHCP as originally adopted, 2) substantially conforms to the terms of the MSHCP as originally adopted, and 3) will not significantly reduce the ability to acquire the Additional Reserve Lands. The Wildlife Agencies are provided a 60-day review and concurrence period to respond to proposed minor amendments.

In general, the Wildlife Agencies agree that annexations within the Plan area among MSHCP Permittees should not affect plan implementation. Therefore, we also agree that a more expedited review of proposed minor amendments addressing annexations is appropriate, as follows. The amended process would require Permittees to submit to the Wildlife Agencies: 1) a brief description of the annexation along with a location map and 2) a statement that the Permittee will assume all obligations of the MSHCP for the annexed territory. The Wildlife Agencies would then have 10 business days to review the annexation information. If the

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Permittees do not receive a response by the close of the 10-day period, then the Permittees can assume the Wildlife Agencies have no comments and the minor amendment for the annexation is approved. In the event there is some urgency to the annexation action, we would be available to discuss the matter in advance.

We recommend that the RCA document this minor amendment to the annexation process in your 2007 MSHCP annual report. If you have any questions regarding this letter, please feel free to contact Doreen Stadlander of the Service at (760) 431-9440, extension 223, or Leslie MacNair of the Department at (949) 458-1754.



Karen A. Goebel
Assistant Field Supervisor
U. S. Fish and Wildlife Service

Sincerely,



[for] Kimberly Nicol
Deputy Regional Manager
California Department of Fish and Game