



EXECUTIVE COMMITTEE MEETING AGENDA

TIME: 12:00 p.m.

DATE: Wednesday, January 18, 2023

This meeting is being conducted in accordance with AB 361 due to state or local officials recommending measures to promote social distancing.

🌀 COMMITTEE MEMBERS 🌀

Natasha Johnson, City of Lake Elsinore – Chair
Kevin Bash, City of Norco – Vice Chair
Patricia Lock Dawson, City of Riverside
Crystal Ruiz, City of San Jacinto
James Stewart, City of Temecula
Kevin Jeffries, County of Riverside, District 1
Karen Spiegel, County of Riverside, District 2

WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY

www.wrc-rca.org

EXECUTIVE COMMITTEE MEETING AGENDA

12:00 p.m.

Wednesday, January 18, 2023

This meeting is being conducted in accordance with AB 361 due to state or local officials recommending measures to promote social distancing.

INSTRUCTIONS FOR ELECTRONIC PARTICIPATION

Join Zoom Meeting

<https://rctc.zoom.us/j/86929552645>

Call in: +1 669 900 6833

Meeting ID: 869 2955 2645

One tap mobile: +16699006833,,86929552645#

For members of the public wishing to submit comment in connection with the Executive Committee Meeting please email written comments to the Clerk of the Board at lmobley@rctc.org and your comments will be made part of the official record of the proceedings as long as the comment is received before the end of the meeting's public comment period. Members of the public may also make public comments through their telephone or Zoom connection when recognized by the Chair.

In compliance with the Brown Act and Government Code Section 54957.5, agenda materials distributed 72 hours prior to the meeting, which are public records relating to open session agenda items, will be available for inspection by members of the public prior to the meeting on the RCA's website, www.wrc-rca.org.

In compliance with the Americans with Disabilities Act, Government Code Section 54954.2, Executive Order N-29-20, and the Federal Transit Administration Title VI, please contact the Clerk of the Board at (951) 787-7141 if special assistance is needed to participate in a Committee meeting, including accessibility and translation services. Assistance is provided free of charge. Notification of at least 48 hours prior to the meeting time will assist staff in assuring reasonable arrangements can be made to provide assistance at the meeting.

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PLEDGE OF ALLEGIANCE**

4. **PUBLIC COMMENTS** – *Under the Brown Act, the Board should not take action on or discuss matters raised during public comment portion of the agenda that are not listed on the agenda. The Board Members may refer such matters to staff for factual information or to be placed on the subsequent agenda for consideration.*
5. **ADDITIONS / REVISIONS** – *The Board 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 Board subsequent to the posting of the agenda. An action adding an item to the agenda requires 2/3 vote of the Board. If there are less than 2/3 of the Board Members present, adding an item to the agenda requires a unanimous vote. Added items will be placed for discussion at the end of the agenda.*
6. **CONSENT CALENDAR** – *All matters on the Consent Calendar will be approved in a single motion unless a Board Member(s) requests separate action on specific item(s).*

6A. **APPROVAL OF MINUTES – DECEMBER 21, 2022**

Page 1

6B. **WESTERN RIVERSIDE COUNTY MULTIPLE SPECIES HABITAT CONSERVATION PLAN FEE COLLECTION REPORT FOR NOVEMBER 2022**

Page 5

Overview

This item is for the Committee to recommend the Board of Directors take the following action(s):

- 1) Receive and file the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Fee Collection Report for November 2022.

6C. **JOINT PROJECT REVIEW STATUS REPORT**

Page 8

Overview

This item is for the Committee to recommend the Board of Directors take the following action(s):

- 1) Receive and file the Joint Project Review (JPR) monthly status report as of December 31, 2022.

6D. **ACQUISITIONS STATUS REPORT**

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Overview

This item is for the Committee to recommend the Board of Directors take the following action(s):

- 1) Receive and file the acquisition status report as of November 30, 2022.

6E. MONTHLY INVESTMENT REPORT FOR OCTOBER 2022

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Overview

This item is for the Committee to recommend the Board of Directors take the following action(s):

- 1) Receive and file the Monthly Investment Report for the month ended October 31, 2022.

6F. SINGLE SIGNATURE AUTHORITY REPORT

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Overview

This item is for the Committee to recommend the Board of Directors take the following action(s):

- 1) Receive and file the Single Signature Authority report for the second quarter ended December 31, 2022.

7. MSHCP MITIGATION FEE IMPLEMENTATION MANUAL UPDATE

Page 35

Overview

This item is for the Committee to recommend the Board of Directors take the following action(s):

- 1) Approve the update to the Multiple Species Habitat Conservation Plan (MSHCP) Mitigation Fee Implementation Manual.

8. STATE AND FEDERAL LEGISLATIVE UPDATE

Page 233

Overview

This item is for the Committee to recommend the Board of Directors take the following action(s):

- 1) Receive and file an update on state and federal legislative affairs.

9. EXECUTIVE COMMITTEE MEETING OPTIONS

Page 235

Overview

This item is for the Committee to recommend the Board of Directors take the following action(s):

- 1) Define and streamline the scope of Executive Committee meeting topics, and
- 2) Direct the Executive Committee to meet on Board Meeting days at 11:30 a.m., prior to the monthly Board meeting.

10. BOARD OF DIRECTORS / EXECUTIVE DIRECTOR REPORT

Overview

This item provides the opportunity for the Board of Directors and the Executive Director to report on attended meetings/conferences and any other items related to Board activities.

11. ADJOURNMENT

The next Executive Committee is scheduled to be held on **Wednesday, February 15, 2023.**

AGENDA ITEM 6A

MINUTES

WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY

EXECUTIVE COMMITTEE MINUTES

Wednesday, December 21, 2022

1. CALL TO ORDER

The meeting of the Executive Committee was called to order by Chair Natasha Johnson at 12:00 p.m., via Zoom Meeting ID: 856 9426 3955, in accordance with AB 361 due to state or local officials recommending measures to promote social distancing.

2. ROLL CALL

Members/Alternates Present

Kevin Jeffries*
Jeff Hewitt*
Natasha Johnson
Kevin Bash
Patricia Lock Dawson
Crystal Ruiz

Members Absent

*Arrived after the meeting was called to order.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Board Member Bash.

At this time, Board Member Jefferies arrived.

4. PUBLIC COMMENTS

There were no requests to speak from the public.

5. ADDITIONS / REVISIONS

There were no additions or revisions to the agenda.

6. CONSENT CALENDAR – *All matters on the Consent Calendar will be approved in a single motion unless a Board Member(s) requests separate action on specific item(s).*

M/S/C (Ruiz/Lock Dawson) to approve the following Consent Calendar items.

6A. APPROVAL OF MINUTES – NOVEMBER 16, 2022

6B. WESTERN RIVERSIDE COUNTY MULTIPLE SPECIES HABITAT CONSERVATION PLAN FEE COLLECTION REPORT FOR OCTOBER 2022

- 1) Receive and file the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Fee Collection Report for October 2022.

6C. JOINT PROJECT REVIEW STATUS REPORT

- 1) Receive and file the Joint Project Review (JPR) monthly status report as of November 30, 2022.

6D. ACQUISITIONS STATUS REPORT

- 1) Receive and file the acquisition status report as of October 31, 2022.

6E. ADOPTION OF RESOLUTION NO. 2023-001 RELATED TO REVISED INVESTMENT POLICY

- 1) Approve the revised investment policy for the Western Riverside County Regional Conservation Authority; and
- 2) Adopt Resolution No. 2023-001, *"Resolution of the Board of Directors of the Western Riverside County Regional Conservation Authority Adopting a Statement of Investment Policy"*.

7. 2023 STATE AND FEDERAL LEGISLATIVE PLATFORM AND LEGISLATIVE UPDATE

Tyler Madary, Legislative Affairs Manager, provided an update on state and federal legislative actions and the Proposed 2023 State and Federal Legislative Platform. On December 5th, the state legislature convened the 2023-24 regular session. This session is expected to witness a changing of the guard with 35 new legislatures, including some assembly members moving to the senate, meaning that nearly 1/3 of the legislatures will be new. During the recess, the assembly democrats caucus reached a tentative agreement for Speaker Anthony Rendon of Lakewood to continue serving as Assembly Speaker through the budget cycle and fiscal year end, at which point Assembly Member Robert Rivas of Hollister is expected to assume the leadership role. This change may result in a shuffle of budget and policy assignments which RCA staff will track.

All eyes will be on the Governor's budget proposal, which is required to be submitted in early January 2023. California is facing a budget deficit due to under-performing revenue projections, a budget deficit of \$25 billion is currently projected.

On the federal side, congress is expected to pass a Federal Appropriations Bill for Fiscal Year 2023 ahead of the deadline for the current continuing resolution expiring on Friday. If an agreement is not reached before the end of the current continuing resolution, it is possible

there will be another resolution passed extending into early next year, or possibly through the entire fiscal year until September 30, 2023, given the shift of power in the house.

As the 117th Congressional Session winds down, RCA staff is continuing to closely monitor the establishment of a wildlife refuge in Western Riverside County as well as engaging stakeholders. RCA staff understands that tribal partners, utilities, and other stakeholders continue to engage to explore amendments to the language.

The RCA annually adopts a legislative platform that serves as the parameter for policy positions the Board of Directors will take on various pieces of legislation, administrative policies, and regulations. The platform addresses broad gains that are critical in both Sacramento and Washington, D.C. The platform points allow RCA staff, the Board of Directors, and RCA's lobbyists to communicate in a timely and effective manner with state and federal agencies and elected representatives as issues arise. The Proposed 2023 Legislative Platform builds on previously adopted platforms and includes recommended adjustments to the Board Adopted 2022 Legislative Platform based on lessons learned from the past year.

Most of the proposed revisions are technical or clarifying in nature. However, RCA staff does propose broadening language to demonstrate RCA support beyond critical funding for land acquisition to also include support for policies and programs that protect, expand, or streamline RCA's ability to acquire and manage reserve lands.

M/S/C (Lock Dawson/Ruiz) to:

- 1) Adopt RCA's 2023 State and Federal Legislative Platform; and**
- 2) Receive and file a state and federal legislative update.**

At this time, Board Member Hewitt arrived.

8. BOARD OF DIRECTORS / EXECUTIVE DIRECTOR REPORTS

Chair Johnson reminded Board Members to email her or RCA staff if they were interested in serving on the Executive Committee next year.

Aaron Hake, Executive Deputy Director, thanked each of the Board Members for the productive year at RCA. RCA is keeping a pretty good pace in conserving land and working through difficult issues.

RCA was invited to participate in a meeting put together by The Nature Conservancy, a national non-profit organization focused on advocacy and conservation, with the Assistant Secretary for Wildlife and Park from the Department of the Interior (DOI) as well as other members from the secretary's office. The meeting was to have a conversation with the DOI about the need to better fund habitat conservation plans and land acquisitions specifically. RCA made the case as to why plans like RCA's are the best vehicle to achieve the President's goal of conserving 30% of the nation's land by 2030, the America the Beautiful Initiative. There was good feedback

from the meeting, and it was made clear there is still a lot of education to provide to the higher levels of the DOI. A pathway for advocacy was provided for the year to come.

Board Member Lock Dawson wanted to know if opportunities for education would be brought forward to the Executive Committee as well as for the Board to be able to assist staff with the educating. Mr. Hake stated that RCA staff is taking time over the next couple weeks to develop a plan to bring forward to the Executive Committee.

Board Member Jeffries was wondering if perhaps going forward, the Executive Committee meeting could be held the same day as the full Board meeting, similar to RCTC. There should be a review of what things should be reviewed by the Executive Committee versus being only on the Board agenda. There are some efficiencies that could be gained from this review.

Chair Johnson thought that was a great suggestion and asked staff to see what that might look like and give the Executive Committee a game plan on whether this would work for RCA.

10. ADJOURNMENT

There being no further business for consideration by the Executive Committee, Chair Johnson adjourned the meeting at 12:14 p.m. The next meeting of the Executive Committee is scheduled to be held on **Wednesday, January 18, 2023.**

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Lisa Mobley', with a long horizontal flourish extending to the right.

Lisa Mobley
Administrative Services Manager/
Clerk of the Board

AGENDA ITEM 6B

WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY

DATE:	January 18, 2023
TO:	Executive Committee
FROM:	Jennifer Fuller, Financial Administration Manager
THROUGH:	Sergio Vidal, Chief Financial Officer
SUBJECT:	Western Riverside County Multiple Species Habitat Conservation Plan Fee Collection Report for November 2022

STAFF RECOMMENDATION:

This item is for the Committee to recommend the Board of Directors take the following action(s):

- 1) Receive and file the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Fee Collection Report for November 2022.

BACKGROUND INFORMATION:

The Western Riverside County MSHCP Local Development Mitigation Fee (LDMF) collections provide funding for the acquisition of additional reserve lands and related costs. Below is a summary of the current year budget and collections for the month of November 2022 and year-to-date:

Revenue	FY 2022-23 Adopted Budget	Collections for the month of November 2022	FY 2022-23 Year-to-Date
Local Development Mitigation Fees	\$ 16,800,000	\$ 2,712,250	\$ 9,524,612
Civic and Infrastructure Contributions	610,000	166,387	348,911
Collections for November 2022		\$ 2,878,637	
Collections Year-to-Date thru November 2022			\$ 9,873,523

Attached, is a report detailing by Member Agency LDMF Collection and Civic/Infrastructure Contribution for November 2022.

FISCAL IMPACT:

There is no fiscal impact to the receipt and file of this fee collection report.

Attachment: Western Riverside County MSHCP LDMF Collection and Civic/Infrastructure Contribution Report for November 2022

**WESTERN RIVERSIDE COUNTY MSHCP LDMF COLLECTION AND CIVIC/INFRASTRUCTURE CONTRIBUTION REPORT
FOR NOVEMBER 2022**

Amounts subject to rounding

LOCAL DEVELOPMENT MITIGATION FEE COLLECTIONS									
City/County	Month	REMITTED					EXEMPTIONS & FEE CREDITS		
		Residential Permits	ADUs/ Additions	Commercial Industrial Acres	Amount Remitted	Total FY 23 Year-to-Date	Residential Permits	Commercial Industrial Acres	Amount
City of Banning	October-No Activity				\$ -	\$ 19,735			
City of Beaumont	October	24			94,728	2,204,685			
City of Calimesa	October-No Activity				-	2,665			
City of Canyon Lake	October-No Activity				-	10,905			
City of Corona	July		2		6,201	147,038			
	September	3			10,128				
	October	16		5.02	104,042				
City of Eastvale	October-No Activity				-	-			
City of Hemet	October	9			29,994	120,403			
City of Jurupa Valley	October	22			86,834	113,697			
City of Lake Elsinore	October	7		16.59	173,675	268,267			
City of Menifee	October	3	1		13,754	304,225			
City of Moreno Valley	August-Pending				-	152,958			
	September-Pending								
	October-Pending								
City of Murrieta	September-No Activity				-	160,774			
	October	210			152,880				
City of Norco	July	1			5,329	9,518			
	September		1		2,525				
	October-Pending								
City of Perris	October	247		9.70	627,088	1,315,617			
City of Riverside	September	6	4	29.59	547,728	732,950			
	October-Pending				-				
City of San Jacinto	September	32			126,304	513,110			
	October	44			173,668				
City of Temecula	August	75		1.16	71,439	71,439			
	Roripaugh DA 1						43		\$169,721
	September-Pending				-				
	October-Pending				-				
City of Wildomar	October	6	1		25,792	97,407			
County of Riverside	November	109	2	2.98	460,142	3,279,219			
Total LDMF Collections		814	12	65.04	\$ 2,712,250	\$ 9,524,612	43	0.00	\$ 169,721

CIVIC AND INFRASTRUCTURE CONTRIBUTIONS				Total FY 23 Year-to-Date
City of Corona	WRCRWA Reclaimed Waterline		\$ 166,387	\$ 166,387
Prior Civic and Infrastructure contributions from Member Agencies				182,524
Total Civic/Infrastructure Contributions			\$ 166,387	\$ 348,911

TOTAL NOVEMBER 2022 \$ 2,878,637 \$ 9,873,523

¹ Roripaugh Development Agreement dated 12/17/02. Project is exempt under Assessment District 161.

AGENDA ITEM 6C

WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY	
DATE:	January 18, 2023
TO:	Western Riverside County Regional Conservation Authority
FROM:	Leslie Levy, Senior Management Analyst
THROUGH:	Anne Mayer, Executive Director
SUBJECT:	Joint Project Review Status Report

STAFF RECOMMENDATION:

This item is for the Committee to recommend the Board of Directors take the following action(s):

- 1) Receive and file the Joint Project Review (JPR) monthly status report as of December 31, 2022.

BACKGROUND INFORMATION:

Consistent with the Board's priority on transparency and communication, staff is providing a monthly report of the status of JPRs and other Multiple Species Habitat Conservation Plan (MSHCP) compliance processes. This staff report provides a summary of activities in 2022 through December 31, 2022.

The RCA processes Habitat Acquisition Negotiation Strategy (HANS) analyses in the form of JPRs as well as Participating Special Entity (PSE) applications and Criteria Refinements. The included attachment summarizes each type of MSHCP compliance review the RCA has performed in 2022.

In 2022, staff has completed 20 JPRs (Development HANS), one PSE, and one Criteria Refinement. We are in the process of reviewing 20 JPRs (Development HANS), three PSEs, and one Criteria Refinement.

FISCAL IMPACT:

This is an information item. There is no fiscal impact.

Attachment: RCA MSHCP Compliance Project Processing from January 1, 2022, thru December 31, 2022

**RCA MSHCP Compliance Project Processing from
January 1, 2022 thru December 31, 2022**

Actively in Process	Completed in 2022
DEVELOPMENT HANS ¹	
PUBLIC PROJECTS (Total 4) <ul style="list-style-type: none">➤ Lake Elsinore Lake Street➤ County Waste Pedley Landfill➤ Riverside Transmission Reliability Amendment➤ Ethanac Road Bridge	PUBLIC PROJECTS (Total 3) <ul style="list-style-type: none">✓ De Luz Rd Culvert Replacement✓ Murrieta Creek Bridge Amendment✓ Skyview Pedestrian Bridge
PRIVATE PROJECTS (Total 16) <ul style="list-style-type: none">➤ Perris – 1➤ Lake Elsinore – 1➤ County – 9➤ Temecula – 2➤ Riverside - 1➤ Corona - 2	PRIVATE PROJECTS (Total 17) <ul style="list-style-type: none">✓ Temecula – 3✓ Lake Elsinore – 4✓ County – 5✓ Perris – 1✓ Hemet – 2✓ Murrieta - 2
NON-DEVELOPMENT HANS ²	
None to date in 2022	None to date in 2022
PARTICIPATING SPECIAL ENTITY	
PUBLIC PROJECTS (3) <ul style="list-style-type: none">➤ SoCal-Gas Badlands Hydrostatic Testing Project➤ EMWD Wickerd Road Sewer Project➤ EMWD Quail Tank Project	PUBLIC PROJECTS (Total 0) None to date in 2022
PRIVATE PROJECTS (Total 0) None in process	PRIVATE PROJECTS (Total 1) <ul style="list-style-type: none">✓ Lockheed Martin Site 1 – Potrero Remedial Action Amendment

¹ A project is proposed on the property

² No project is proposed on the property and these HANS involve only private entities

Actively in Process	Completed in 2022
CRITERIA REFINEMENTS³	
PUBLIC PROJECTS (Total 1) ➤ County Waste Lamb Canyon Landfill Expansion	PUBLIC PROJECTS (0) None to date in 2022
PRIVATE PROJECTS (Total 0) None in process	PRIVATE PROJECTS (1) ✓ Beaumont Point Specific Plan

³ Triggered when a proposed project wants to develop on lands that are described to go into the MSHCP reserve

AGENDA ITEM 6D

WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY	
DATE:	January 18, 2023
TO:	Executive Committee
FROM:	Angela Ferreira, Senior Management Analyst Hector Casillas, Right of Way Manager
THROUGH:	Anne Mayer, Executive Director
SUBJECT:	Acquisitions Status Report

STAFF RECOMMENDATION:

This item is for the Committee to recommend the Board of Directors take the following action(s):

- 1) Receive and file the acquisition status report as of November 30, 2022.

BACKGROUND INFORMATION:

The Board of Directors requested the Right of Way Department provide a monthly report of the status of various acquisitions.

For the 2022 calendar year, 22 parcels have been acquired, which include 18 acquisitions and 4 processed donations. The 18 acquisitions added approximately 1,977 acres, and the 4 processed donations added approximately 204 acres, for a combined total of an additional 2,181 acres to the reserve. As of November 30, 2022, staff is managing 59 active parcels.

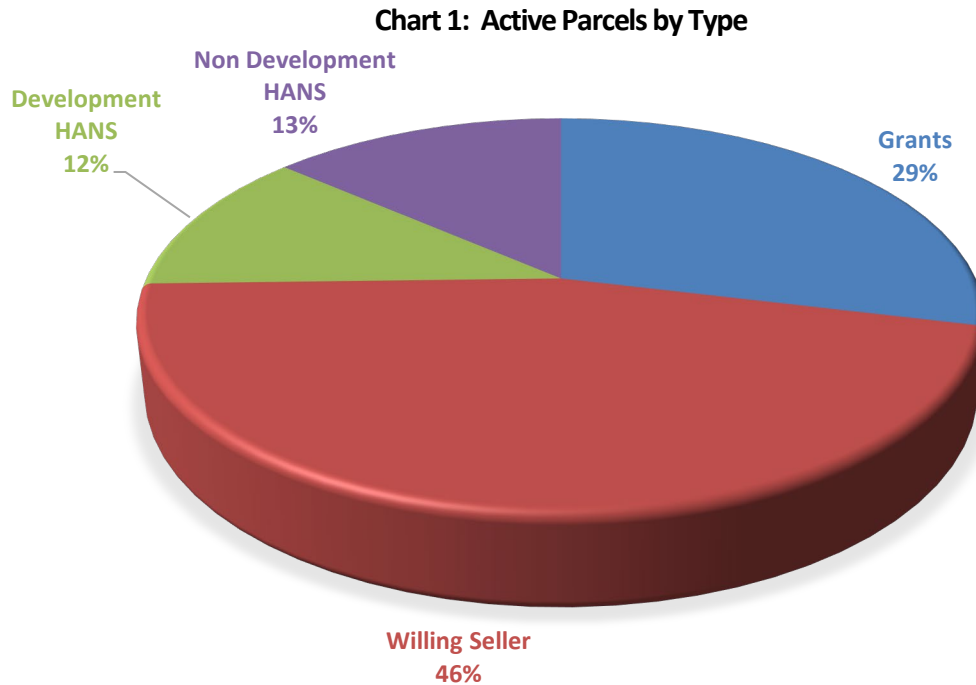
For comparison purposes, in the 2020 calendar year, 16 parcels closed escrow adding approximately 646 acres, and 4 donations were processed adding approximately 47 acres. In the 2021 calendar year, 18 parcels closed escrow adding approximately 891 acres, 12 parcels were acquired through the tax sale process adding approximately 402 acres, and 2 donations were processed adding approximately 38 acres. In summary, a total of 693 acres were added to the reserve in 2020 and 1,331 acres were added in 2021.

In addition to the active parcels, staff has submitted applications to acquire 35 tax defaulted parcels from the County of Riverside Tax Collector's Office. To date, 9 parcels have been removed due to the properties being redeemed by the property owner and/or removed by staff after additional due diligence, leaving 26 parcels in the process.

Attachment one provides individual property details by type including location, owner representative, and acreage for active parcels as of November 30, 2022. The parcels are listed by the proposed close escrow date, if applicable.

There were no closed escrows for the month of November.

Chart 1 illustrates the active parcels by type of acquisition: grant-funded, development HANS, non-development HANS, and willing seller.



FISCAL IMPACT:

This item is for informational purposes only. There is no fiscal impact.

Attachments: Status of Right of Way Acquisitions as of November 30, 2022

Western Riverside County Regional Conservation Authority
Status of Acquisitions
As of November 30, 2022

Project Number	Location	Supervisorial District	Owner Representative	Acreage
Grants				
R22492	Hemet	District 3	N/A	9.74 acres
R22505	Temecula	District 1	Dave Asmus	19.92 acres
R22528	Tenaja	District 1	Phil Percival	20.13 acres
R22527	Tenaja	District 1	Dana Story	47.70 acres
R22485	Moreno Valley	District 5	Steve Hobbs	640.05 acres
R22486	Jurupa Valley	District 2	N/A	78.74 acres
R22438	Jurupa Valley	District 2	T.C. Obichang	138.11 acres
R22534	Corona	District 2	N/A	738.43 acres
R22540	Lake Elsinore	District 1	Steve Semingson	14.99 acres
R22541	Lake Elsinore	District 1	Val Wong	2.17 acres
R22542	Lake Elsinore	District 1	Carmela Rincon Loelkes	21.34 acres
R22543	Lake Elsinore	District 1	N/A	4.35 acres
R22544	Lake Elsinore	District 1	N/A	9.42 acres
R22545	Lake Elsinore	District 1	John Lewis	12.02 acres
R22548	Lake Elsinore	District 1	N/A	3.16 acres
R22549	Lake Elsinore	District 1	N/A	69.62 acres
R22550	Lake Elsinore	District 1	N/A	3.16 acres

Development HANS				
R22502	Hemet	District 3	N/A	40.52 acres
R14490	Temescal Valley	District 1	Julian Nan/John Tavaglione	450.25 acres
R22532	Temescal Valley	District 1	John Tavaglione	61.14 acres
R22335	Murrieta	District 3	Bill Tyler	13.06 acres
R22171	Hemet	District 3	Ed Sauls	65.18 acres
R22539	Winchester	District 3	N/A	20.00 acres
R22309	Hemet	District 3	Ed Sauls	63.55 acres

Non-Development HANS				
R22442	Sage	District 3	John Baker	20.03 acres
R22419	Aguanga	District 3	Garret Sauls	80.00 acres
R22449	Lake Elsinore	District 1	Ed Sauls	197.55 acres
R22409	French Valley	District 3	Ed Sauls	40.00 acres
R22404	San Jacinto	District 3	Garret Sauls	161.66 acres
R22405	San Jacinto	District 3	Garret Sauls	240.49 acres
R22428	Hemet	District 3	Garret Sauls	240 acres
R22149	Temecula	District 3	N/A	118.63 acres

Willing Seller				
R22514	Wildomar	District 1	Ed Sauls	19.25 acres
R22515	Sage	District 1	George Haines	4.97 acres
R22520	Sage	District 3	Garret Sauls	21.08 acres
R22524	Murrieta	District 1	N/A	9.36 acres
R22318	Temecula	District 1	Colin Koch	8.97 acres
R22523	Sage	District 3	Mike Novak	14.87 acres
R22433	Lake Elsinore	District 1	Ecosystem Investment Partner	239.87 acres
R22512	Lake Elsinore	District 1	Garret Sauls	30.00 acres
R22511	Lake Elsinore	District 1	Ecosystem Investment Partner	44.70 acres
R22446	Beaumont	District 5	Ryan Ross/Craig Olsen	150 acres
R22525	Murrieta	District 1	Rolf E. Rawson	20.95 acres
R22526	Lake Elsinore	District 1	Garret Sauls	124.19 acres
R22529	Murrieta	District 3	Peter McCrohan	9.73 acres
R22530	Aguanga	District 3	Garret Sauls	80.00 acres
R22531	Cherry Valley	District 5	N/A	31.40 acres
R22535	San Jacinto	District 3	N/A	6.48 acres
R22420	Calimesa	District 5	N/A	20.00 acres
R22536	Rancho California	District 3	Katherine Jankowski	28.77 acres
R22537	Murieta	District 3	Garret Sauls	2.5 acres
R22538	Lake Elsinore	District 1	N/A	44.6 acres
R22546	Menifee	District 3	N/A	17.98 acres
R22281	San Jacinto	District 3	N/A	97.91 acres
R22457	San Jacinto	District 3	James Salvador	46.01 acres
R22530	Murrieta Valley	District 1	Garret Sauls	5.53 acres
R22461	Murrieta Valley	District 1	Garret Sauls	10.88 acres
R22551	Wildomar	District 1	Phil Percival	18.44 acres
R22552	Hemet	District 3	Brian Bush	32.84 acres

AGENDA ITEM 6E

WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY	
DATE:	January 18, 2023
TO:	Executive Committee
FROM:	Jennifer Fuller, Financial Administration Manager Matthew Wallace, Deputy Director of Financial Administration
THROUGH:	Sergio Vidal, Chief Financial Officer
SUBJECT:	Monthly Investment Report for October 2022

STAFF RECOMMENDATION:

This item is for the Committee to recommend the Board of Directors take the following action(s):

- 1) Receive and file the Monthly Investment Report for the month ended October 31, 2022.

BACKGROUND INFORMATION:

Per RCA Resolution No. 2023-001, an investment portfolio report shall be provided to the Board monthly. All of RCA's investments are managed by the County of Riverside Treasurer through the Riverside County Pooled Investment Fund.

The monthly investment report for October 2022, as required by state law and Board policy, reflects the investment activities resulting from available operating cash and endowments. As of October 31, 2022, RCA's cash and investments was comprised of the following:

CASH AND INVESTMENTS PORTFOLIO	AMOUNTS
Operating	\$ 87,523,454
Trust	11,896,206
Total	\$ 99,419,660

The monthly investment report includes the following information:

- Investment Portfolio Report;
- County of Riverside Investment Report for the Month Ended October 31, 2022.

RCA's investments were in full compliance with the Board's investment policy adopted on January 9, 2023. Additionally, RCA has adequate cash flows for the next six months.

FISCAL IMPACT:

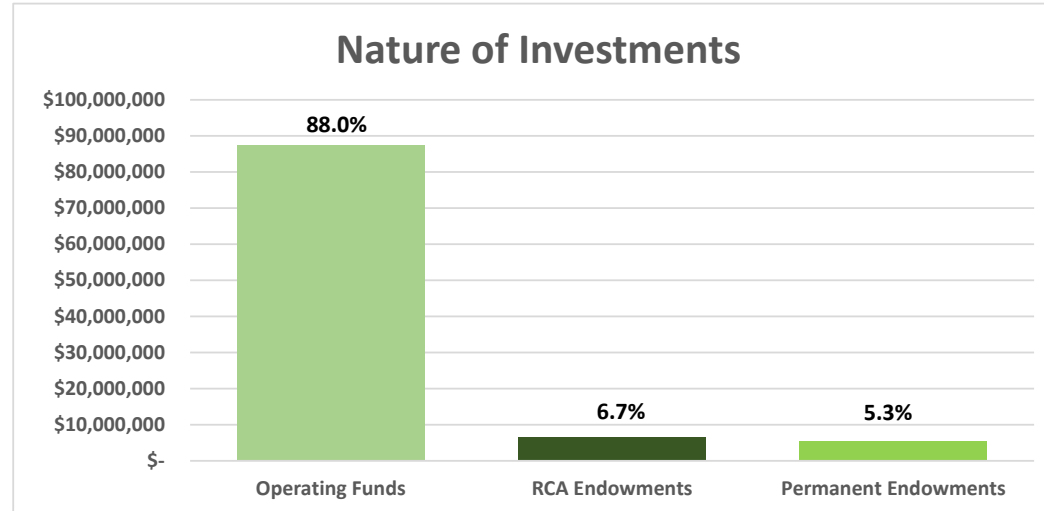
This is an information item. There is no fiscal impact.

Attachments:

- 1) Investment Portfolio Report
- 2) County of Riverside Investment Report for the Month Ended October 31, 2022

Western Riverside County Regional Conservation Authority
Investment Portfolio Report
Period Ended: October 31, 2022

	FAIR VALUE	RATING MOODYS / FITCH	COUPON RATE	YIELD TO MATURITY
OPERATING FUNDS				
County Treasurer's Pooled Investment Fund:				
Operating Funds	\$ 87,523,454	Aaa-bf/AAAF-S1	N/A	2.08%
Subtotal Operating Funds	87,523,454			
FUNDS HELD IN TRUST				
County Treasurer's Pooled Investment Fund:				
RCA Endowments	6,627,175	Aaa-bf/AAAF-S1	N/A	2.08%
Permanent Endowments	5,269,031	Aaa-bf/AAAF-S1	N/A	2.08%
Subtotal Funds Held in Trust	11,896,206			
TOTAL All Cash and Investments	\$ 99,419,660			



COUNTY OF RIVERSIDE

TREASURER-TAX COLLECTOR'S

MANAGED BY

Matt Jennings

Treasurer-Tax Collector

Giovane Pizano

Assistant Treasurer

John Byerly

Chief Investment Officer

Steve Faeth

Senior Investment Officer

Isela Licea

Investment Officer

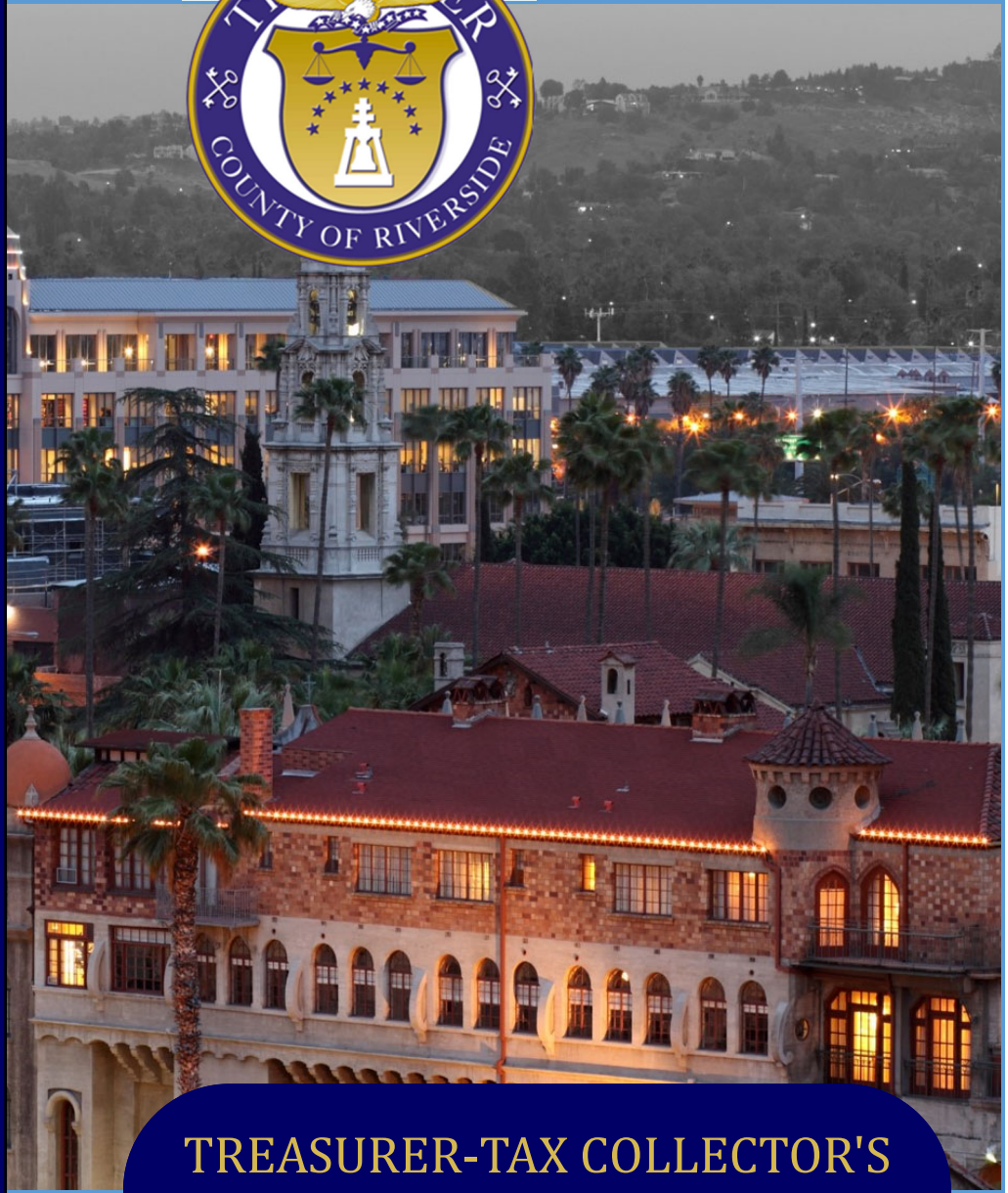
COUNTY ADMINISTRATIVE CENTER

4080 LEMON STREET,

4TH FLOOR,

RIVERSIDE, CA 92502-2205

WWW.COUNTYTREASURER.ORG



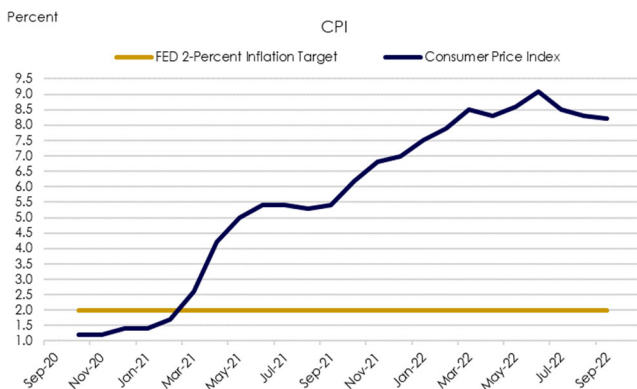
**TREASURER-TAX COLLECTOR'S
POOLED INVESTMENT FUND**

OCTOBER 2022 REPORT

WORLD OF A DIFFERENCE

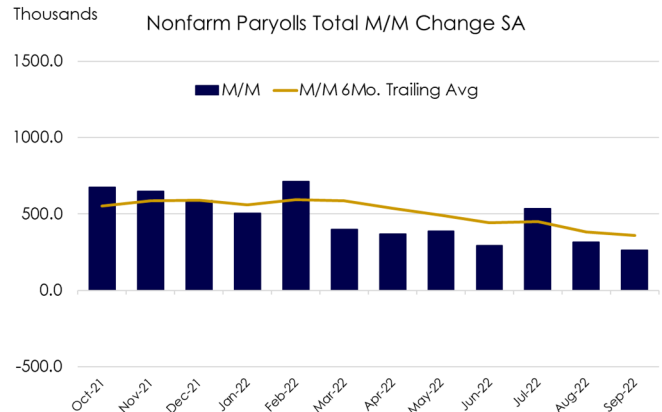
From October 2021 to October 2022 the Federal Reserve (FED) increased the FED fund rates from the target range of 0.00%-0.25% to 3.00%-3.25%, and front-page news stories went from COVID to Inflation. The increase in rates has been a welcome change for short-term funds like the Treasurer Tax-Collectors Pooled Investment Fund (TPIF).

U.S. inflation rates remain far above the FED target, with the Consumer Price Index release showing a year over year gain of 8.2%. That is only slightly lower than the previous month reading which came in at 8.3%. The Federal Reserve's target rate of inflation is 2.0%, so it is clear that their fight is nowhere near ending. Food, rent, medical care and fuel all contributed to the increase. Consumers have proven to be resilient to date, but spending is beginning to show some pullback as their reserves run out.



On the jobs front, higher interest rates have not yet put much of a dent in hiring. The monthly Non-Farm Payrolls number released in October showed 263,000 jobs created in the U.S. The Unemployment Rate dropped to 3.5%, matching a

50 year low.



The one weak spot in the economy is the housing market. Higher mortgage rates are dramatically reducing consumer's buying power and home prices have actually seen price drops in some areas of the country. Total housing starts are now down 20.3% from the peak in April. The biggest drop occurred in the single-family sector, with multifamily projects staying almost steady. As prospective home buyers are priced out of the market, many are opting for rental apartments, so builders are taking advantage of that trend.

In fixed income markets, the 2-Year Treasury Note yield began the month at a yield of 4.28% and ended the month at 4.50%. 5-Year Treasury Note yield began the month at 4.09% and ended the month at 4.22%. Stocks rose during October, with the Dow Jones Industrial Average beginning the month at 28,800 and ending the month at 32,700.

Matt Jennings

Treasurer-Tax Collector

Treasurer Tax-Collector Statement

The Treasurer's Pooled Investment Fund is comprised of contributions from the county, schools, special districts, and other discretionary depositors throughout the County of Riverside. The primary objective of the Treasurer shall be to **safeguard the principal** of the funds under the Treasurer's control, meet the **liquidity needs** of the depositor, and to maximize a **return on the funds** within the given parameters.

The Treasurer-Tax Collector and the Capital Markets team are committed to maintaining the highest credit ratings. The Treasurer's Pooled Investment Fund is currently rated **Aaa-bf** by **Moody's Investor Service** and **AAAf/S1** by **Fitch Ratings**, two of the nation's most trusted bond credit rating services.

Since its inception, the Treasurer's Pooled Investment Fund has been in **full compliance** with the Treasurer's Statement of Investment Policy, which is more restrictive than California. Government Code 53646.

PORTFOLIO SUMMARY

Month End Values \$ are

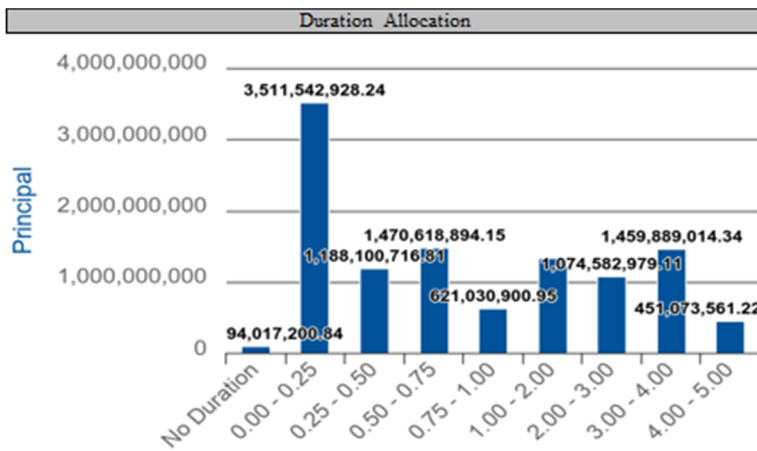
Expressed in 000,000	Oct-22	Apr-22	Oct-21
Principal Value	\$ 11,223.66	\$ 12,388.30	\$ 9,437.88
Market Value*	10,880.32	12,223.50	9,422.57
Book Value*	11,239.22	12,388.30	9,437.88
Unrealized Gain/Loss*	(358.90)	(164.80)	(15.31)
Paper Gain or Loss %	-3.193%	-1.330%	-0.162%
Yield	2.08	0.68	0.3
WAM (Yrs)	1.35	1.1	1.27

* Market values do not include accrued interest.

* Book Value is amount paid changed by amortization, Accretion, adjustments, write downs

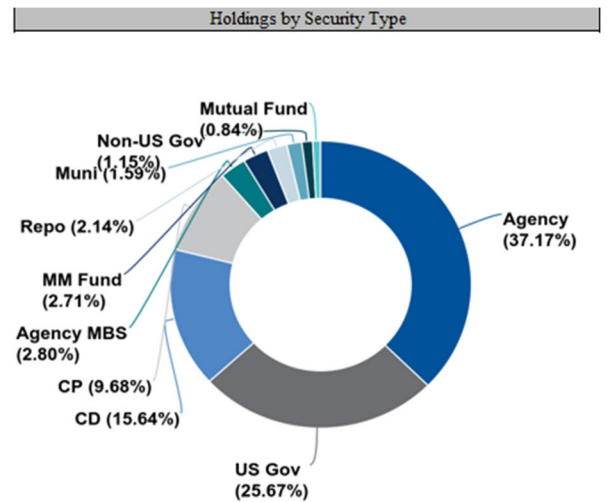
* Unrealized Gain/Loss is Market Value - Book Value

TPIF STATS



Composite Credit Ratings			
Rating	Moody's Rating	Market Value	Fitch Rating
AAA	Aaa	5,882,477,152.25	AAA
AA+	Aaa	298,053,847.71	AAA
AA	Aa2	73,443,057.95	AA
NA	NA	404,112,700.84	NA
A-1+	P-1	4,328,251,404.87	AAA

Holdings by Security Type					
Security Type Category	Days to Final Maturity	Par Value	Market Price	Yield	Principal
Agency CMO	416	69,690,118.82	98.3369	3.699	69,307,043.66
Mutual Fund	---	93,213,169.12	1.0086	---	94,017,200.84
Non-US Gov	664	128,895,000.00	93.0073	0.737	128,730,013.14
Muni	707	178,030,000.00	94.5740	1.608	178,880,815.00
Repo	1	240,000,000.00	100.0000	3.010	240,000,000.00
MM Fund	0	304,000,000.00	1.0000	3.067	304,000,000.00
Agency MBS	741	318,437,338.21	96.4311	3.803	314,619,473.66
CP	70	1,098,425,000.00	99.2786	3.480	1,086,894,418.87
CD	114	1,755,000,000.00	100.0001	2.685	1,755,002,456.82
US Gov	471	2,890,000,000.00	96.8378	1.387	2,880,691,818.56
Agency	803	4,204,609,250.00	93.6263	1.729	4,171,525,969.05
Total	490	11,280,299,876.15	92.9665	2.084	11,223,669,209.60



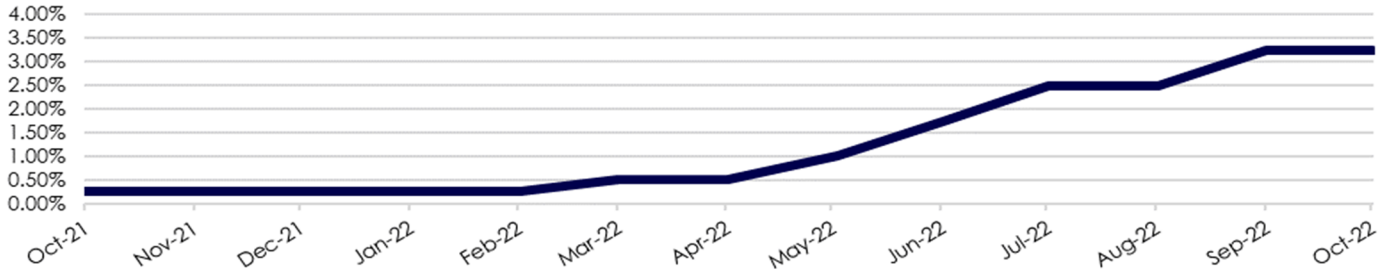
Month	Monthly Receipts	Monthly Disbursements	Difference	Required Matured Investments	Balance	Actual Investments Maturing	Available to Invest > 1 Year
11/2022					60.40		
11/2022	1,600.00	1,700.00	-100.00	39.60	0.00	2,290.64	
12/2022	3,500.00	1,800.00	1700.00		1,700.00	253.25	
01/2023	1,600.00	2,400.00	-800.00		900.00	1,555.00	
02/2023	1,500.00	1,800.00	-300.00		600.00	697.56	
03/2023	2,350.00	1,800.00	550.00		1,150.00	411.75	
04/2023	2,750.00	2,070.00	680.00		1,830.00	99.72	
05/2023	1,600.00	2,500.00	-900.00		930.00	1,017.19	
06/2023	2,300.00	2,400.00	-100.00		830.00	477.83	
07/2023	1,400.00	2,100.00	-700.00		130.00	119.63	
08/2023	1,800.00	1,600.00	200.00		330.00	272.69	
09/2023	2,100.00	1,750.00	350.00		680.00	200.50	
10/2023	1,750.00	2,100.00	-350.00		330.00	216.64	
TOTALS	24,250.00	24,020.00	230.00	39.60	9,470.40	7,612.39	11,240.69
				0.35%		67.48%	99.65%

FIXED INCOME MARKETS

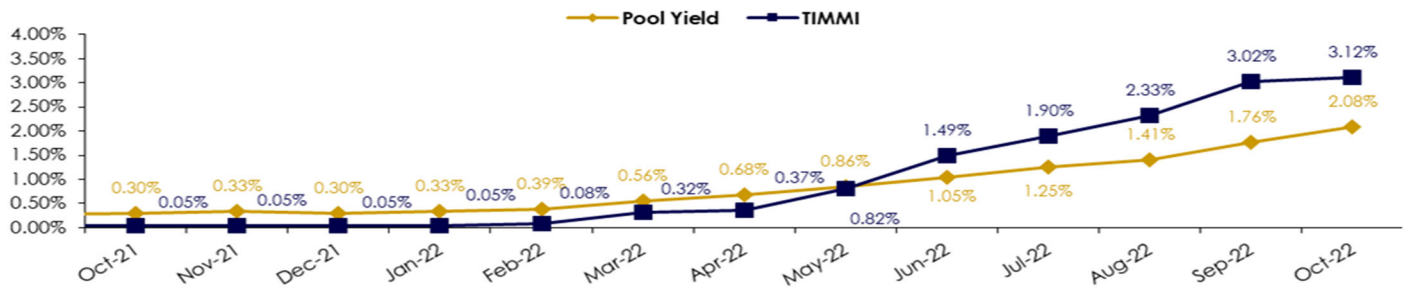
FED FUNDS RATE

Fed Fund Rate: 3.00% to 3.25%

Next FOMC Scheduled Meeting: 11/02/2022



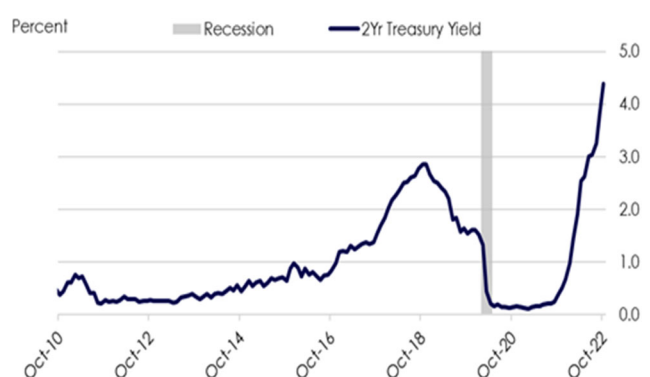
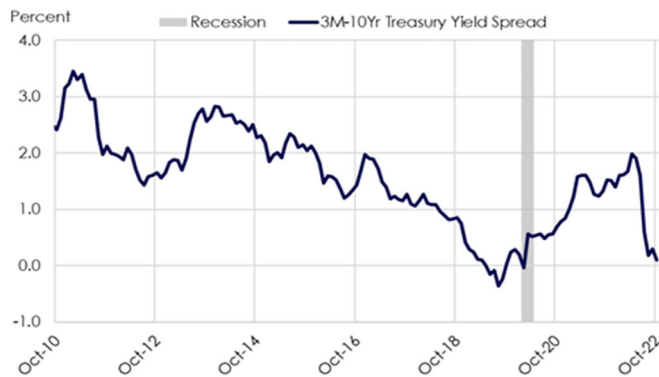
TIMMI



The Treasurer's Institutional Money Market Index (TIMMI) is a composite index of four AAA rated prime institutional money market funds.

Their average yield is compared to the yield of the Treasurer's Pooled Investment Fund in the above graph.

US Treasury Market



US Treasury Yield Curve	3 Mo	6 Mo	1 Yr	2 Yr	3 Yr	5 Yr	10 Yr	30 Yr
10/31/2022 - 10/03/2022	0.76	0.60	0.65	0.39	0.33	0.37	0.43	0.49
10/31/2022	4.22	4.57	4.66	4.51	4.45	4.27	4.10	4.22
10/03/2022	3.46	3.97	4.01	4.12	4.12	3.90	3.67	3.73

Compliance Status: Full Compliance

The Treasurer's Pooled Investment Fund was in full compliance with the County of Riverside's Treasurer's Statement of Investment Policy. The County's Statement of Investment Policy is more restrictive than California Government Code 53646. The County's Investment Policy is reviewed annually by the County of Riverside's Oversight Committee and approved by the Board of Supervisors.

Investment Category	GOVERNMENT CODE			COUNTY INVESTMENT POLICY			Actual %
	Maximum Maturity	Authorized % Limit	S&P/ Moody's	Maximum Maturity	Authorized % Limit	S&P/ Moody's	
MUNICIPAL BONDS (MUNI)	5 YEARS	NO LIMIT	NA	4 YEARS	15%	AA-/Aa3/AA-	1.59%
U.S. TREASURIES	5 YEARS	NO LIMIT	NA	5 YEARS	100%	NA	25.67%
LOCAL AGENCY OBLIGATIONS (LAO)	5 YEARS	NO LIMIT	NA	3 YEARS	2.50%	INVESTMENT GRADE	0.00%
FEDERAL AGENCIES	5 YEARS	NO LIMIT	AAA	5 YEARS	100%	NA	39.97%
COMMERCIAL PAPER (CP)	270 DAYS	40%	A1/P1	270 DAYS	40%	A1/P1/F1	9.68%
CERTIFICATE & TIME DEPOSITS (NCD & TCD)	5 YEARS	30%	NA	1 YEAR	25% Combined	A1/P1/F1	15.64%
INT'L BANK FOR RECONSTRUCTION AND DEVELOPMENT AND INT'L FINANCE CORPORATION	NA	NA	NA	4 YEARS	20%	AA/Aa/AA	1.15%
REPURCHASE AGREEMENTS (REPO)	1 YEARS	NO LIMIT	NA	45 DAYS	40% max, 25% in term repo over 7 days	A1/P1/F1	2.14%
REVERSE REPOS	92 DAYS	20%	NA	60 DAYS	10%	NA	0.00%
MEDIUM TERM NOTES (MTNO)	5 YEARS	30%	A	3 YEARS	20%	AA/Aa2/AA	1.59%
CALTRUST SHORT TERM FUND	NA	NA	NA	DAILY LIQUIDITY	1.00%	NA	0.84%
MONEY MARKET MUTUAL FUNDS (MMF)	60 DAYS ⁽¹⁾	20%	AAA/Aaa ⁽²⁾	DAILY LIQUIDITY	20%	AAA by 2 Of 3 RATINGS AGC.	2.71%
LOCAL AGENCY INVESTMENT FUND (LAIF)	NA	NA	NA	DAILY LIQUIDITY	Max \$50 million	NA	0.00%
CASH/DEPOSIT ACCOUNT	NA	NA	NA	NA	NA	NA	0.00%

Agency
AGCY BOND

Cusip	Description	Yield	Market Price	Final Maturity	Par Value	Market Value	Book Value	Net Unrealized Gain/Loss
3130ATHV2	FEDERAL HOME LOAN BANKS	4.312	99.2346	09/11/2026	1,000,000.00	992,346.00	997,832.27	(5,486.27)
3130ATHW0	FEDERAL HOME LOAN BANKS	4.239	98.9755	09/10/2027	2,000,000.00	1,979,510.00	1,990,083.79	(10,573.79)
3133EKQA7	FEDERAL FARM CREDIT BANKS FUNDING CORP	1.693	95.5499	09/10/2024	2,064,000.00	1,972,149.94	2,078,373.89	(106,223.95)
3130ANSK2	FEDERAL HOME LOAN BANKS	4.366	89.8677	07/20/2026	2,375,000.00	2,134,357.88	2,143,762.86	(9,404.99)
3130ATHW0	FEDERAL HOME LOAN BANKS	4.241	98.9755	09/10/2027	3,000,000.00	2,969,265.00	2,984,959.57	(15,694.57)
3135GA2P5	FEDERAL NATIONAL MORTGAGE ASSOCIATION	0.356	93.7745	05/03/2024	3,500,000.00	3,282,107.50	3,499,697.35	(217,589.85)
3136G4P31	FEDERAL NATIONAL MORTGAGE ASSOCIATION	0.450	92.8031	08/19/2024	3,701,000.00	3,434,642.73	3,701,000.00	(266,357.27)
3133ENW63	FEDERAL FARM CREDIT BANKS FUNDING CORP	4.195	99.7518	10/27/2027	3,715,000.00	3,705,779.37	3,744,803.13	(39,023.76)
3134GW4C7	FEDERAL HOME LOAN MORTGAGE CORP	3.488	86.3224	10/27/2026	5,000,000.00	4,316,120.00	4,505,409.32	(189,289.32)
3130ATFH5	FEDERAL HOME LOAN BANKS	3.941	97.4781	09/11/2026	5,000,000.00	4,873,905.00	4,966,220.05	(92,315.05)
3133ENH45	FEDERAL FARM CREDIT BANKS FUNDING CORP	3.294	95.3018	08/24/2026	5,000,000.00	4,765,090.00	4,970,041.95	(204,951.95)
3133ENV72	FEDERAL FARM CREDIT BANKS FUNDING CORP	4.638	100.0479	07/27/2026	5,000,000.00	5,002,395.00	4,976,884.73	25,510.27
3133ENV72	FEDERAL FARM CREDIT BANKS FUNDING CORP	4.590	100.0479	07/27/2026	5,000,000.00	5,002,395.00	4,985,029.88	17,365.12
3133ENT67	FEDERAL FARM CREDIT BANKS FUNDING CORP	4.318	98.9097	10/19/2026	5,000,000.00	4,945,485.00	4,987,710.34	(42,225.34)
3133ENT67	FEDERAL FARM CREDIT BANKS FUNDING CORP	4.318	98.9097	10/19/2026	5,000,000.00	4,945,485.00	4,987,710.34	(42,225.34)
3133ENKS8	FEDERAL FARM CREDIT BANKS FUNDING CORP	1.202	92.8965	01/06/2025	5,000,000.00	4,644,825.00	4,991,781.62	(346,956.62)
3133ENV23	FEDERAL FARM CREDIT BANKS FUNDING CORP	5.503	99.1659	10/25/2027	5,000,000.00	4,958,295.00	4,995,013.71	(36,718.71)
3130AL2G8	FEDERAL HOME LOAN BANKS	0.615	87.7059	02/18/2026	5,000,000.00	4,385,295.00	4,997,523.87	(612,228.87)
3133ENH45	FEDERAL FARM CREDIT BANKS FUNDING CORP	3.137	95.3018	08/24/2026	5,000,000.00	4,765,090.00	4,997,903.43	(232,813.43)
3133ENPY0	FEDERAL FARM CREDIT BANKS FUNDING CORP	1.764	93.8342	02/25/2025	5,000,000.00	4,691,710.00	4,998,454.38	(306,744.38)
3133ELNJ9	FEDERAL FARM CREDIT BANKS FUNDING CORP	1.542	95.9794	02/28/2024	5,000,000.00	4,798,970.00	5,000,000.00	(201,030.00)
3134GVWM6	FEDERAL HOME LOAN MORTGAGE CORP	0.730	90.3892	05/28/2025	5,000,000.00	4,519,460.00	5,000,000.00	(480,540.00)
3136G4XK4	FEDERAL NATIONAL MORTGAGE ASSOCIATION	0.650	89.8823	06/30/2025	5,000,000.00	4,494,115.00	5,000,000.00	(505,885.00)
3134GVSR5	FEDERAL HOME LOAN MORTGAGE CORP	0.570	93.3423	07/15/2024	5,000,000.00	4,667,115.00	5,000,000.00	(332,885.00)
3136G4ZF9	FEDERAL NATIONAL MORTGAGE ASSOCIATION	0.625	89.2919	08/27/2025	5,000,000.00	4,464,595.00	5,000,000.00	(535,405.00)
3136G4GN8	FEDERAL NATIONAL MORTGAGE ASSOCIATION	0.600	88.6300	10/29/2025	5,000,000.00	4,431,500.00	5,000,000.00	(568,500.00)
3135G06F5	FEDERAL NATIONAL MORTGAGE ASSOCIATION	0.310	95.5530	11/16/2023	5,000,000.00	4,777,650.00	5,000,000.00	(222,350.00)
3134GXBM5	FEDERAL HOME LOAN MORTGAGE CORP	0.600	88.4493	11/12/2025	5,000,000.00	4,422,465.00	5,000,000.00	(577,535.00)
3134GXBM5	FEDERAL HOME LOAN MORTGAGE CORP	0.600	88.4493	11/12/2025	5,000,000.00	4,422,465.00	5,000,000.00	(577,535.00)
3135GA2Z3	FEDERAL NATIONAL MORTGAGE ASSOCIATION	0.560	88.2919	11/17/2025	5,000,000.00	4,414,595.00	5,000,000.00	(585,405.00)
3135GA2Z3	FEDERAL NATIONAL MORTGAGE ASSOCIATION	0.560	88.2919	11/17/2025	5,000,000.00	4,414,595.00	5,000,000.00	(585,405.00)
3133EMLP5	FEDERAL FARM CREDIT BANKS FUNDING CORP	0.320	91.2868	12/23/2024	5,000,000.00	4,564,340.00	5,000,000.00	(435,660.00)
3130ALF25	FEDERAL HOME LOAN BANKS	0.400	91.7195	11/26/2024	5,000,000.00	4,585,975.00	5,000,000.00	(414,025.00)
3130ALFN9	FEDERAL HOME LOAN BANKS	0.550	89.1154	08/25/2025	5,000,000.00	4,455,770.00	5,000,000.00	(544,230.00)
3133EMSC7	FEDERAL FARM CREDIT BANKS FUNDING CORP	0.480	90.5719	03/03/2025	5,000,000.00	4,528,595.00	5,000,000.00	(471,405.00)
3133EMZS4	FEDERAL FARM CREDIT BANKS FUNDING CORP	0.900	87.8992	05/18/2026	5,000,000.00	4,394,960.00	5,000,000.00	(605,040.00)
3130AMJN3	FEDERAL HOME LOAN BANKS	1.030	88.3106	05/26/2026	5,000,000.00	4,415,530.00	5,000,000.00	(584,470.00)
3136G46S7	FEDERAL NATIONAL MORTGAGE ASSOCIATION	0.560	88.5291	10/28/2025	5,000,000.00	4,426,455.00	5,000,000.00	(573,545.00)
3134GWTG1	FEDERAL HOME LOAN MORTGAGE CORP	0.600	88.9029	09/30/2025	5,000,000.00	4,445,145.00	5,000,000.00	(554,855.00)
3134GWP91	FEDERAL HOME LOAN MORTGAGE CORP	0.500	89.5814	06/16/2025	5,000,000.00	4,479,070.00	5,000,000.00	(520,930.00)
3136G4XZ1	FEDERAL NATIONAL MORTGAGE ASSOCIATION	0.740	90.1047	06/30/2025	5,000,000.00	4,505,235.00	5,000,000.00	(494,765.00)
3130AMM22	FEDERAL HOME LOAN BANKS	1.000	88.0440	06/10/2026	5,000,000.00	4,402,200.00	5,000,000.00	(597,800.00)
3134GV3A4	FEDERAL HOME LOAN MORTGAGE CORP	0.500	93.4557	07/01/2024	5,000,000.00	4,672,785.00	5,000,000.00	(327,215.00)
3130AQRH8	FEDERAL HOME LOAN BANKS	2.000	89.9407	02/25/2027	5,000,000.00	4,497,035.00	5,000,000.00	(502,965.00)
3130AQRH8	FEDERAL HOME LOAN BANKS	2.000	89.9407	02/25/2027	5,000,000.00	4,497,035.00	5,000,000.00	(502,965.00)
3130AR4V0	FEDERAL HOME LOAN BANKS	2.150	94.3133	03/14/2025	5,000,000.00	4,715,665.00	5,000,000.00	(284,335.00)
3130AR6U0	FEDERAL HOME LOAN BANKS	2.500	91.7849	03/22/2027	5,000,000.00	4,589,245.00	5,000,000.00	(410,755.00)
3130AR7D7	FEDERAL HOME LOAN BANKS	2.050	94.0407	03/25/2025	5,000,000.00	4,702,035.00	5,000,000.00	(297,965.00)
3130ATBV8	FEDERAL HOME LOAN BANKS	4.150	96.7419	09/29/2027	5,000,000.00	4,837,095.00	5,000,000.00	(162,905.00)
3130ATBV8	FEDERAL HOME LOAN BANKS	4.150	96.7419	09/29/2027	5,000,000.00	4,837,095.00	5,000,000.00	(162,905.00)
3130ATNG8	FEDERAL HOME LOAN BANKS	5.000	99.4937	10/27/2027	5,000,000.00	4,974,685.00	5,000,000.00	(25,315.00)
31422XM90	FEDERAL AGRICULTURAL MORTGAGE CORP	4.320	99.6406	10/21/2027	5,000,000.00	4,982,030.00	5,000,000.00	(17,970.00)
31422XM90	FEDERAL AGRICULTURAL MORTGAGE CORP	4.320	99.6406	10/21/2027	5,000,000.00	4,982,030.00	5,000,000.00	(17,970.00)
31422XM90	FEDERAL AGRICULTURAL MORTGAGE CORP	4.320	99.6406	10/21/2027	5,000,000.00	4,982,030.00	5,000,000.00	(17,970.00)
3130ATJD0	FEDERAL HOME LOAN BANKS	6.000	100.0965	10/25/2027	5,000,000.00	5,004,825.00	5,000,000.00	4,825.00
3130ATJD0	FEDERAL HOME LOAN BANKS	6.000	100.0965	10/25/2027	5,000,000.00	5,004,825.00	5,000,000.00	4,825.00
3133ENV72	FEDERAL FARM CREDIT BANKS FUNDING CORP	4.477	100.0479	07/27/2026	5,000,000.00	5,002,395.00	5,004,249.32	(1,854.32)
3133ENW63	FEDERAL FARM CREDIT BANKS FUNDING CORP	4.284	99.7518	10/27/2027	5,000,000.00	4,987,590.00	5,020,194.55	(32,604.55)
3133ELH80	FEDERAL FARM CREDIT BANKS FUNDING CORP	0.680	90.1447	06/10/2025	5,025,000.00	4,529,771.18	5,025,000.00	(495,228.83)
3130ASDK2	FEDERAL HOME LOAN BANKS	3.250	95.3475	06/29/2026	5,250,000.00	5,005,743.75	5,250,000.00	(244,256.25)
3130AL6K5	FEDERAL HOME LOAN BANKS	0.580	87.5837	02/25/2026	6,000,000.00	5,255,022.00	6,000,000.00	(744,978.00)
3133EKP75	FEDERAL FARM CREDIT BANKS FUNDING CORP	1.671	94.6520	09/17/2024	6,128,000.00	5,800,274.56	6,120,103.77	(319,829.21)
3130ARHG9	FEDERAL HOME LOAN BANKS	2.180	96.7402	02/28/2024	7,000,000.00	6,771,814.00	6,994,521.53	(222,707.53)
3130ATH42	FEDERAL HOME LOAN BANKS	4.700	98.4719	09/29/2027	7,000,000.00	6,893,033.00	7,000,000.00	(106,967.00)
3130ATBV8	FEDERAL HOME LOAN BANKS	4.150	96.7419	09/29/2027	7,225,000.00	6,989,602.28	7,225,000.00	(235,397.73)
3133EMKH4	FEDERAL FARM CREDIT BANKS FUNDING CORP	0.160	99.5248	12/15/2022	8,245,000.00	8,205,819.76	8,245,000.00	(39,180.24)
3136G4Q97	FEDERAL NATIONAL MORTGAGE ASSOCIATION	0.650	89.4305	08/27/2025	8,650,000.00	7,735,738.25	8,650,000.00	(914,261.75)
3130ALGJ7	FEDERAL HOME LOAN BANKS	1.016	88.6490	03/23/2026	8,921,250.00	7,908,598.91	8,916,450.82	(1,007,851.91)
3130AL2X1	FEDERAL HOME LOAN BANKS	3.001	85.7940	02/17/2027	10,000,000.00	8,579,400.00	9,145,706.24	(566,306.24)
3133EL5S9	FEDERAL FARM CREDIT BANKS FUNDING CORP	2.905	92.7085	09/03/2024	10,000,000.00	9,270,850.00	9,572,561.39	(301,711.39)
3133EL4J0	FEDERAL FARM CREDIT BANKS FUNDING CORP	2.882	92.8372	08/19/2024	10,000,000.00	9,283,720.00	9,583,539.29	(299,819.29)
3130AKYH3	FEDERAL HOME LOAN BANKS	1.746	85.7674	02/10/2027	10,000,000.00	8,576,740.00	9,626,416.31	(1,049,676.31)
3130ALGJ7	FEDERAL HOME LOAN BANKS	1.000	88.6490	03/23/2026	9,750,000.00	8,643,277.50	9,750,000.00	(1,106,722.50)
3130ALGJ7	FEDERAL HOME LOAN BANKS	1.000	88.6490	03/23/2026	9,750,000.00	8,643,277.50	9,750,000.00	(1,106,722.50)
3130ALGJ7	FEDERAL HOME LOAN BANKS	1.000	88.6490	03/23/2026	9,750,000.00	8,643,277.50	9,750,000.00	(1,106,722.50)
3130ANMH0	FEDERAL HOME LOAN BANKS	1.668	87.9166	08/20/2026	10,000,000.00	8,791,660.00	9,792,815.61	(1,001,155.61)
3133ENL99	FEDERAL FARM CREDIT BANKS FUNDING CORP	3.830	95.7105	09/15/2027	10,000,000.00	9,571,050.00	9,800,103.78	(229,053.78)
3130ALHH0	FEDERAL HOME LOAN BANKS	3.040	88.6700	03/05/2026	10,500,000.00	9,310,350.00	9,816,558.42	(506,208.42)
3133ENKG4	FEDERAL FARM CREDIT BANKS FUNDING CORP	1.908	88.2697	01/11/2027	10,000,000.00	8,826,970.00	9,825,328.14	(998,358.14)
3130AQHS5	FEDERAL HOME LOAN BANKS	1.984	88.9837	01/28/2027	10,000,000.00	8,898,370.00	9,885,687.40	(987,317.40)
3133ENBK5	FEDERAL FARM CREDIT BANKS FUNDING CORP	1.340	87.6215	10/20/2026	10,000,000.00	8,762,150.00	9,923,397.33	(1,161,247.33)
3133EMJQ6	FEDERAL FARM CREDIT BANKS FUNDING CORP	0.253	95.2450	12/08/2023	9,931,000.00	9,458,780.95	9,931,276.36	(472,495.41)
3133ENBK5	FEDERAL FARM CREDIT BANKS FUNDING CORP	1.249	87.6215	10/20/2026	10,000,000.00	8,762,150.00	9,957,970.99	(1,195,820.99)
3133ENL99	FEDERAL FARM CREDIT BANKS FUNDING CORP	3.467	95.7105	09/15/2027	10,000,000.00	9,571,050.00	9,959,178.48	(388,128.48)
3137EAEX3	FEDERAL HOME LOAN MORTGAGE CORP	0.497	88.7844	09/23/2025	10,000,000.00	8,878,440.00	9,965,118.91	(1,086,678.91)
3133ENLZ1	FEDERAL FARM CREDIT BANKS FUNDING CORP	1.860	89.2940	01/26/2027	10,000,000.00	8,929,400.00	9,967,741.05	(1,038,341.05)
3133ENYX2	FEDERAL FARM CREDIT BANKS FUNDING CORP	3.439	97.8275	06/17/2024	10,000,000.00	9,782,750.00	9,970,503.15	(187,753.15)
3130AQF65	FEDERAL HOME LOAN BANKS	1.306	88.1012	12/21/2026	10,000,000.00	8,810,120.00	9,977,637.20	(1,167,517.20)

3133ENV9D	FEDERAL FARM CREDIT BANKS FUNDING CORP	2.913	93.8226	04/26/2027	10,000,000.00	9,382,260.00	9,984,221.69	(601,961.69)
3133ENB33	FEDERAL FARM CREDIT BANKS FUNDING CORP	3.075	94.3795	07/19/2027	10,000,000.00	9,437,950.00	9,989,161.28	(551,211.28)
3133ENB66	FEDERAL FARM CREDIT BANKS FUNDING CORP	3.174	95.4602	07/20/2026	10,000,000.00	9,546,020.00	9,991,640.66	(445,620.66)
3133EMSC7	FEDERAL FARM CREDIT BANKS FUNDING CORP	0.512	90.5719	03/03/2025	10,000,000.00	9,057,190.00	9,992,696.47	(935,506.47)
3130ARMT5	FEDERAL HOME LOAN BANKS	2.838	96.3545	10/25/2024	10,000,000.00	9,635,450.00	9,992,855.26	(357,405.26)
3132X03B5	FEDERAL AGRICULTURAL MORTGAGE CORP	2.960	98.8020	06/30/2023	10,000,000.00	9,880,200.00	9,993,014.81	(112,814.81)
3133EMPLP5	FEDERAL FARM CREDIT BANKS FUNDING CORP	0.339	91.2868	12/23/2024	10,000,000.00	9,128,680.00	9,995,963.51	(867,283.51)
3133EMLT7	FEDERAL FARM CREDIT BANKS FUNDING CORP	0.244	94.9415	12/28/2023	10,000,000.00	9,494,150.00	9,996,091.91	(501,941.91)
3133EJD48	FEDERAL FARM CREDIT BANKS FUNDING CORP	3.092	98.5400	10/02/2023	10,000,000.00	9,854,000.00	9,996,197.73	(142,197.73)
3137EAEZ8	FEDERAL HOME LOAN MORTGAGE CORP	0.280	95.6548	11/06/2023	10,000,000.00	9,565,480.00	9,996,958.13	(431,478.13)
3133EMKW1	FEDERAL FARM CREDIT BANKS FUNDING CORP	0.235	95.0216	12/21/2023	10,000,000.00	9,502,160.00	9,997,154.38	(494,994.38)
3135G0T94	FEDERAL NATIONAL MORTGAGE ASSOCIATION	2.490	99.5987	01/19/2023	10,000,000.00	9,959,870.00	9,997,571.95	(37,701.95)
3135G06A6	FEDERAL NATIONAL MORTGAGE ASSOCIATION	0.587	88.6596	10/20/2025	10,000,000.00	8,865,960.00	9,997,902.53	(1,131,942.53)
3135G06C2	FEDERAL NATIONAL MORTGAGE ASSOCIATION	0.604	88.6300	10/29/2025	10,000,000.00	8,863,000.00	9,998,802.09	(1,135,802.09)
3134GXEX8	FEDERAL HOME LOAN MORTGAGE CORP	0.270	97.5105	06/01/2023	10,000,000.00	9,751,050.00	9,998,833.50	(247,783.50)
3133EL7E8	FEDERAL FARM CREDIT BANKS FUNDING CORP	0.250	98.4848	03/15/2023	10,000,000.00	9,848,480.00	9,998,893.83	(150,413.83)
3134GXCAC0	FEDERAL HOME LOAN MORTGAGE CORP	0.328	95.4739	11/24/2023	10,000,000.00	9,547,390.00	9,999,113.14	(451,723.14)
3133EJKN8	FEDERAL FARM CREDIT BANKS FUNDING CORP	2.719	99.2319	04/11/2023	10,000,000.00	9,923,190.00	9,999,143.42	(75,953.42)
3130ANRB8	FEDERAL HOME LOAN BANKS	0.553	91.8092	12/17/2024	10,000,000.00	9,180,920.00	9,999,345.41	(818,425.41)
3134GXEX8	FEDERAL HOME LOAN MORTGAGE CORP	0.260	97.5105	06/01/2023	10,000,000.00	9,751,050.00	9,999,416.75	(248,366.75)
3134GXEX8	FEDERAL HOME LOAN MORTGAGE CORP	0.256	97.5105	06/01/2023	10,000,000.00	9,751,050.00	9,999,649.66	(248,599.66)
3134GVWM6	FEDERAL HOME LOAN MORTGAGE CORP	0.730	90.3892	05/28/2025	10,000,000.00	9,038,920.00	10,000,000.00	(961,080.00)
3134GVVYX0	FEDERAL HOME LOAN MORTGAGE CORP	0.500	93.7151	06/03/2024	10,000,000.00	9,371,510.00	10,000,000.00	(628,490.00)
3136G4D75	FEDERAL NATIONAL MORTGAGE ASSOCIATION	0.600	89.4815	07/29/2025	10,000,000.00	8,948,150.00	10,000,000.00	(1,051,850.00)
3136G4B77	FEDERAL NATIONAL MORTGAGE ASSOCIATION	0.700	89.7495	08/04/2025	10,000,000.00	8,974,950.00	10,000,000.00	(1,025,050.00)
3136G4F32	FEDERAL NATIONAL MORTGAGE ASSOCIATION	0.600	89.4815	07/29/2025	10,000,000.00	8,948,150.00	10,000,000.00	(1,051,850.00)
3134GWLW4	FEDERAL HOME LOAN MORTGAGE CORP	0.625	89.3536	08/19/2025	10,000,000.00	8,935,360.00	10,000,000.00	(1,064,640.00)
3136G4X40	FEDERAL NATIONAL MORTGAGE ASSOCIATION	0.600	89.2361	08/26/2025	10,000,000.00	8,923,610.00	10,000,000.00	(1,076,390.00)
3136G4Z97	FEDERAL NATIONAL MORTGAGE ASSOCIATION	0.375	94.4897	02/28/2024	10,000,000.00	9,448,970.00	10,000,000.00	(551,030.00)
3130AK3T1	FEDERAL HOME LOAN BANKS	0.500	91.7867	12/09/2024	10,000,000.00	9,178,670.00	10,000,000.00	(821,330.00)
3134GWL38	FEDERAL HOME LOAN MORTGAGE CORP	0.540	88.8856	09/15/2025	10,000,000.00	8,888,560.00	10,000,000.00	(1,111,440.00)
3134GWN85	FEDERAL HOME LOAN MORTGAGE CORP	0.450	92.5884	09/10/2024	10,000,000.00	9,258,840.00	10,000,000.00	(741,160.00)
3134GW3Z7	FEDERAL HOME LOAN MORTGAGE CORP	0.600	88.6394	10/28/2025	10,000,000.00	8,863,940.00	10,000,000.00	(1,136,060.00)
3134GW3Y0	FEDERAL HOME LOAN MORTGAGE CORP	0.550	88.5015	10/28/2025	10,000,000.00	8,850,150.00	10,000,000.00	(1,149,850.00)
3135G06A6	FEDERAL NATIONAL MORTGAGE ASSOCIATION	0.580	88.6596	10/20/2025	10,000,000.00	8,865,960.00	10,000,000.00	(1,134,040.00)
3136G45C3	FEDERAL NATIONAL MORTGAGE ASSOCIATION	0.540	88.4834	10/27/2025	10,000,000.00	8,848,340.00	10,000,000.00	(1,151,660.00)
3135G06C2	FEDERAL NATIONAL MORTGAGE ASSOCIATION	0.600	88.6300	10/29/2025	10,000,000.00	8,863,000.00	10,000,000.00	(1,137,000.00)
3134GW3X2	FEDERAL HOME LOAN MORTGAGE CORP	0.625	88.7176	10/27/2025	10,000,000.00	8,871,760.00	10,000,000.00	(1,128,240.00)
3135GA2N0	FEDERAL NATIONAL MORTGAGE ASSOCIATION	0.550	88.3834	11/04/2025	10,000,000.00	8,838,340.00	10,000,000.00	(1,161,660.00)
3135GA3C3	FEDERAL NATIONAL MORTGAGE ASSOCIATION	0.350	93.6318	05/17/2024	10,000,000.00	9,363,180.00	10,000,000.00	(636,820.00)
3135GA3C3	FEDERAL NATIONAL MORTGAGE ASSOCIATION	0.350	93.6318	05/17/2024	10,000,000.00	9,363,180.00	10,000,000.00	(636,820.00)
3135G06E8	FEDERAL NATIONAL MORTGAGE ASSOCIATION	0.420	91.8385	11/18/2024	10,000,000.00	9,183,850.00	10,000,000.00	(816,150.00)
3135GA2Z3	FEDERAL NATIONAL MORTGAGE ASSOCIATION	0.560	88.2919	11/17/2025	10,000,000.00	8,829,190.00	10,000,000.00	(1,170,810.00)
3133EMLH9	FEDERAL FARM CREDIT BANKS FUNDING CORP	0.310	95.3967	11/30/2023	10,000,000.00	9,539,670.00	10,000,000.00	(460,330.00)
3134GXEA8	FEDERAL HOME LOAN MORTGAGE CORP	0.200	99.7593	11/23/2022	10,000,000.00	9,975,930.00	10,000,000.00	(24,070.00)
3134GXEA8	FEDERAL HOME LOAN MORTGAGE CORP	0.200	99.7593	11/23/2022	10,000,000.00	9,975,930.00	10,000,000.00	(24,070.00)
3134GXCF9	FEDERAL HOME LOAN MORTGAGE CORP	0.400	93.6351	05/24/2024	10,000,000.00	9,363,510.00	10,000,000.00	(636,490.00)
3134GXCF9	FEDERAL HOME LOAN MORTGAGE CORP	0.400	93.6351	05/24/2024	10,000,000.00	9,363,510.00	10,000,000.00	(636,490.00)
3134GXGQ1	FEDERAL HOME LOAN MORTGAGE CORP	0.200	99.5296	12/15/2022	10,000,000.00	9,952,960.00	10,000,000.00	(47,040.00)
3134GXHL1	FEDERAL HOME LOAN MORTGAGE CORP	0.700	88.3878	12/30/2025	10,000,000.00	8,838,780.00	10,000,000.00	(1,161,220.00)
3133EMKH4	FEDERAL FARM CREDIT BANKS FUNDING CORP	0.160	99.5248	12/15/2022	10,000,000.00	9,952,480.00	10,000,000.00	(47,520.00)
3133EML0	FEDERAL FARM CREDIT BANKS FUNDING CORP	0.190	96.0718	09/22/2023	10,000,000.00	9,607,180.00	10,000,000.00	(392,820.00)
3130AKKF2	FEDERAL HOME LOAN BANKS	0.270	94.0452	03/28/2024	10,000,000.00	9,404,520.00	10,000,000.00	(595,480.00)
3130AKL79	FEDERAL HOME LOAN BANKS	0.250	94.9861	12/28/2023	10,000,000.00	9,498,610.00	10,000,000.00	(501,390.00)
3134GXHH0	FEDERAL HOME LOAN MORTGAGE CORP	0.220	97.1379	06/30/2023	10,000,000.00	9,713,790.00	10,000,000.00	(286,210.00)
3136G43W1	FEDERAL NATIONAL MORTGAGE ASSOCIATION	0.320	94.1126	03/28/2024	10,000,000.00	9,411,260.00	10,000,000.00	(588,740.00)
3130ALEM2	FEDERAL HOME LOAN BANKS	0.790	88.2189	02/25/2026	10,000,000.00	8,821,890.00	10,000,000.00	(1,178,110.00)
3130ALGR9	FEDERAL HOME LOAN BANKS	0.850	88.3917	02/26/2026	10,000,000.00	8,839,170.00	10,000,000.00	(1,160,830.00)
3130ALH56	FEDERAL HOME LOAN BANKS	0.750	87.9258	03/18/2026	10,000,000.00	8,792,580.00	10,000,000.00	(1,207,420.00)
3130ALH56	FEDERAL HOME LOAN BANKS	0.750	87.9258	03/18/2026	10,000,000.00	8,792,580.00	10,000,000.00	(1,207,420.00)
3130ALHZ0	FEDERAL HOME LOAN BANKS	0.530	89.6350	06/18/2025	10,000,000.00	8,963,500.00	10,000,000.00	(1,036,500.00)
3133EMUP5	FEDERAL FARM CREDIT BANKS FUNDING CORP	0.710	90.8793	04/01/2025	10,000,000.00	9,087,930.00	10,000,000.00	(912,070.00)
3133EMUP5	FEDERAL FARM CREDIT BANKS FUNDING CORP	0.710	90.8793	04/01/2025	10,000,000.00	9,087,930.00	10,000,000.00	(912,070.00)
3130ALTJ3	FEDERAL HOME LOAN BANKS	0.375	94.0705	04/08/2024	10,000,000.00	9,407,050.00	10,000,000.00	(592,950.00)
3130ALNK6	FEDERAL HOME LOAN BANKS	0.625	90.6728	03/25/2025	10,000,000.00	9,067,280.00	10,000,000.00	(932,720.00)
3130ALU93	FEDERAL HOME LOAN BANKS	0.750	90.1306	06/30/2025	10,000,000.00	9,013,060.00	10,000,000.00	(986,940.00)
3133EMVD1	FEDERAL FARM CREDIT BANKS FUNDING CORP	0.330	94.0406	04/05/2024	10,000,000.00	9,404,060.00	10,000,000.00	(595,940.00)
3133EMDM1	FEDERAL FARM CREDIT BANKS FUNDING CORP	0.270	95.7928	10/20/2023	10,000,000.00	9,579,280.00	10,000,000.00	(420,720.00)
3133EMQ62	FEDERAL FARM CREDIT BANKS FUNDING CORP	0.990	87.7665	07/13/2026	10,000,000.00	8,776,650.00	10,000,000.00	(1,223,350.00)
3133EMQ62	FEDERAL FARM CREDIT BANKS FUNDING CORP	0.990	87.7665	07/13/2026	10,000,000.00	8,776,650.00	10,000,000.00	(1,223,350.00)
3130ANAJ9	FEDERAL HOME LOAN BANKS	1.000	87.7021	07/27/2026	10,000,000.00	8,770,210.00	10,000,000.00	(1,229,790.00)
3130ANE48	FEDERAL HOME LOAN BANKS	1.000	87.5417	08/17/2026	10,000,000.00	8,754,170.00	10,000,000.00	(1,245,830.00)
3130ANFD7	FEDERAL HOME LOAN BANKS	1.000	87.6291	08/05/2026	10,000,000.00	8,762,910.00	10,000,000.00	(1,237,090.00)
3130AMME9	FEDERAL HOME LOAN BANKS	1.000	88.1564	05/26/2026	10,000,000.00	8,815,640.00	10,000,000.00	(1,184,360.00)
3130ALHG2	FEDERAL HOME LOAN BANKS	0.750	87.9258	03/18/2026	10,000,000.00	8,792,580.00	10,000,000.00	(1,207,420.00)
3130ALN34	FEDERAL HOME LOAN BANKS	0.700	90.9137	03/24/2025	10,000,000.00	9,091,370.00	10,000,000.00	(908,630.00)
3130AKLB0	FEDERAL HOME LOAN BANKS	0.260	93.0626	06/28/2024	10,000,000.00	9,306,260.00	10,000,000.00	(693,740.00)
3134GWN44	FEDERAL HOME LOAN MORTGAGE CORP	0.450	92.5786	09/11/2024	10,000,000.00	9,257,860.00	10,000,000.00	(742,140.00)
3134GWR32	FEDERAL HOME LOAN MORTGAGE CORP	0.410	93.3396	06/24/2024	10,000,000.00	9,333,960.00	10,000,000.00	(666,040.00)
3134GVRV2	FEDERAL HOME LOAN MORTGAGE CORP	0.750	90.4463	05/27/2025	10,000,000.00	9,044,630.00	10,000,000.00	(955,370.00)
3134GXDG6	FEDERAL HOME LOAN MORTGAGE CORP	0.190	99.7587	11/23/2022	10,000,000.00	9,975,870.00	10,000,000.00	(24,130.00)
3130AN3R9	FEDERAL HOME LOAN BANKS	1.130	88.2740	07/20/2026	10,000,000.00	8,827,400.00	10,000,000.00	(1,172,600.00)
3130ALKL7	FEDERAL HOME LOAN BANKS	0.850	88.2027	03/25/2026	10,000,000.00	8,820,270.00	10,000,000.00	(1,179,730.00)
3136G43H4	FEDERAL NATIONAL MORTGAGE ASSOCIATION	0.400	92.4414	09/16/2024	10,000,000.00	9,244,140.00	10,000,000.00	(755,860.00)
3135GAAZ4	FEDERAL NATIONAL MORTGAGE ASSOCIATION	0.500	89.5014	06/24/2025	10,000,000.00	8,950,140.00	10,000,000.00	(1,049,860.00)
3130ALBX1	FEDERAL HOME LOAN BANKS	0.580	87.6012	02/23/2026	10,000,000.00	8,760,120.00	10,000,000.00	(1,239,880.00)
3130AMT69	FEDERAL HOME LOAN BANKS	1.070	88.2469	06/26/2026	10,000,000.00	8,824,690.00	10,000,000.00	(1,175,310.00)
3135GA3N9	FEDERAL NATIONAL MORTGAGE ASSOCIATION	0.300	95.5430	11/16/2023	10,000,000.00	9,554,300.00	10,000,000.00	(445,700.00)
3130ALKF0	FEDERAL HOME LOAN BANKS	0.625	90.6728	03/25/2025	10,000,000.00	9,067,280.00	10,000,000.00	(932,720.00)
3130ALKF0	FEDERAL HOME LOAN BANKS	0.625	90.6728</					

3130ANMH0	FEDERAL HOME LOAN BANKS	1.100	87.9166	08/20/2026	10,000,000.00	8,791,660.00	10,000,000.00	(1,208,340.00)
3133ENEM8	FEDERAL FARM CREDIT BANKS FUNDING CORP	1.430	88.4173	11/23/2026	10,000,000.00	8,841,730.00	10,000,000.00	(1,158,270.00)
3133ENG94	FEDERAL FARM CREDIT BANKS FUNDING CORP	0.970	92.7170	12/09/2024	10,000,000.00	9,271,700.00	10,000,000.00	(728,300.00)
3130AQRQ8	FEDERAL HOME LOAN BANKS	2.000	89.9407	02/25/2027	10,000,000.00	8,994,070.00	10,000,000.00	(1,005,930.00)
3130ARFS5	FEDERAL HOME LOAN BANKS	2.000	96.3691	03/28/2024	10,000,000.00	9,636,910.00	10,000,000.00	(363,090.00)
3130ARHX2	FEDERAL HOME LOAN BANKS	3.000	93.2840	03/25/2027	10,000,000.00	9,328,400.00	10,000,000.00	(671,600.00)
3130ARHX2	FEDERAL HOME LOAN BANKS	3.000	93.2840	03/25/2027	10,000,000.00	9,328,400.00	10,000,000.00	(671,600.00)
3130ARHX2	FEDERAL HOME LOAN BANKS	3.000	93.2840	03/25/2027	10,000,000.00	9,328,400.00	10,000,000.00	(671,600.00)
3130ARPV7	FEDERAL HOME LOAN BANKS	3.500	94.6596	04/28/2027	10,000,000.00	9,465,960.00	10,000,000.00	(534,040.00)
3133ENUL2	FEDERAL FARM CREDIT BANKS FUNDING CORP	3.110	94.6232	04/13/2026	10,000,000.00	9,462,320.00	10,000,000.00	(537,680.00)
3133ENUS7	FEDERAL FARM CREDIT BANKS FUNDING CORP	2.580	96.9889	04/18/2024	10,000,000.00	9,698,890.00	10,000,000.00	(301,110.00)
3130ARSF9	FEDERAL HOME LOAN BANKS	3.000	93.5083	04/29/2027	10,000,000.00	9,350,830.00	10,000,000.00	(649,170.00)
3130ARSC6	FEDERAL HOME LOAN BANKS	2.900	95.4844	05/29/2025	10,000,000.00	9,548,440.00	10,000,000.00	(451,560.00)
3130ARUF6	FEDERAL HOME LOAN BANKS	3.125	94.3931	10/29/2026	10,000,000.00	9,439,310.00	10,000,000.00	(560,690.00)
3130AS3F4	FEDERAL HOME LOAN BANKS	3.770	95.2580	05/26/2027	10,000,000.00	9,525,800.00	10,000,000.00	(474,200.00)
3130ASSB1	FEDERAL HOME LOAN BANKS	2.201	98.5661	06/09/2023	10,000,000.00	9,856,610.00	10,000,000.00	(143,390.00)
3130AS4G1	FEDERAL HOME LOAN BANKS	2.289	98.5726	06/09/2023	10,000,000.00	9,857,260.00	10,000,000.00	(142,740.00)
3130AS4T3	FEDERAL HOME LOAN BANKS	2.325	98.5751	06/12/2023	10,000,000.00	9,857,510.00	10,000,000.00	(142,490.00)
3134GXVS0	FEDERAL HOME LOAN MORTGAGE CORP	2.900	97.1273	06/21/2024	10,000,000.00	9,712,730.00	10,000,000.00	(287,270.00)
3130ASDV8	FEDERAL HOME LOAN BANKS	3.300	94.0408	06/28/2027	10,000,000.00	9,404,080.00	10,000,000.00	(595,920.00)
3134GXZW7	FEDERAL HOME LOAN MORTGAGE CORP	4.250	96.8191	06/30/2027	10,000,000.00	9,681,910.00	10,000,000.00	(318,090.00)
3134GXYR9	FEDERAL HOME LOAN MORTGAGE CORP	3.560	96.6149	06/27/2025	10,000,000.00	9,661,490.00	10,000,000.00	(338,510.00)
3133END80	FEDERAL FARM CREDIT BANKS FUNDING CORP	2.873	94.9399	08/03/2026	10,000,000.00	9,493,990.00	10,044,667.76	(550,677.76)
3135G0X24	FEDERAL NATIONAL MORTGAGE ASSOCIATION	1.098	93.9149	01/07/2025	10,000,000.00	9,391,490.00	10,112,599.19	(721,109.19)
3130ASGU7	FEDERAL HOME LOAN BANKS	3.095	96.2469	06/11/2027	10,000,000.00	9,624,690.00	10,171,864.88	(547,174.88)
3133ENUS7	FEDERAL FARM CREDIT BANKS FUNDING CORP	2.721	96.9889	04/18/2024	10,520,000.00	10,203,232.28	10,498,992.06	(295,759.78)
3134GXCA0	FEDERAL HOME LOAN MORTGAGE CORP	0.328	95.4739	11/24/2023	10,710,000.00	10,225,254.69	10,709,042.31	(483,787.62)
3130AQKM4	FEDERAL HOME LOAN BANKS	1.750	89.1599	01/28/2027	11,250,000.00	10,030,488.75	11,250,000.00	(1,219,511.25)
313382AX1	FEDERAL HOME LOAN BANKS	2.691	99.2188	03/10/2025	11,750,000.00	11,658,209.00	11,727,125.29	(68,916.29)
3133EMLR1	FEDERAL FARM CREDIT BANKS FUNDING CORP	0.506	87.7906	12/23/2025	12,430,000.00	10,912,371.58	12,427,652.26	(1,515,280.68)
3130ATFA0	FEDERAL HOME LOAN BANKS	5.125	98.5212	09/30/2027	13,000,000.00	12,807,756.00	13,000,000.00	(192,244.00)
3134GW6C5	FEDERAL HOME LOAN MORTGAGE CORP	3.122	86.3149	10/28/2026	15,000,000.00	12,947,235.00	13,712,669.13	(765,434.13)
3130ANMH0	FEDERAL HOME LOAN BANKS	3.132	87.9166	08/20/2026	15,000,000.00	13,187,490.00	13,919,504.07	(732,014.07)
3135G0G63	FEDERAL NATIONAL MORTGAGE ASSOCIATION	0.573	88.7615	11/07/2025	14,000,000.00	12,426,610.00	13,969,650.19	(1,543,040.19)
3130ALED2	FEDERAL HOME LOAN BANKS	2.050	86.3925	02/24/2027	15,000,000.00	12,958,875.00	14,369,860.93	(1,410,985.93)
3130ALGJ7	FEDERAL HOME LOAN BANKS	1.000	88.6490	03/23/2026	14,625,000.00	12,964,916.25	14,625,000.00	(1,660,083.75)
3130ALGJ7	FEDERAL HOME LOAN BANKS	1.000	88.6490	03/23/2026	14,625,000.00	12,964,916.25	14,625,000.00	(1,660,083.75)
3134GVWZV1	FEDERAL HOME LOAN MORTGAGE CORP	1.238	88.9095	10/22/2025	15,000,000.00	13,336,425.00	14,744,569.35	(1,408,144.35)
3130ALDX9	FEDERAL HOME LOAN BANKS	0.500	89.8213	05/23/2025	14,750,000.00	13,248,641.75	14,750,000.00	(1,501,358.25)
3136G4XR9	FEDERAL NATIONAL MORTGAGE ASSOCIATION	0.740	90.1101	07/07/2025	14,900,000.00	13,426,404.90	14,900,000.00	(1,473,595.10)
3133ENQ29	FEDERAL FARM CREDIT BANKS FUNDING CORP	4.122	98.4164	09/29/2027	15,000,000.00	14,762,460.00	14,919,801.05	(157,341.05)
3130ALEY6	FEDERAL HOME LOAN BANKS	3.157	88.1946	03/04/2026	16,160,000.00	14,252,247.36	14,966,150.76	(713,903.40)
3130ALLP7	FEDERAL HOME LOAN BANKS	0.688	90.8695	03/17/2025	15,000,000.00	13,630,425.00	14,986,564.41	(1,356,139.41)
3130AKKP0	FEDERAL HOME LOAN BANKS	0.235	94.9882	12/22/2023	15,000,000.00	14,248,230.00	14,992,341.39	(744,111.39)
3133EMLT7	FEDERAL FARM CREDIT BANKS FUNDING CORP	0.235	94.9415	12/28/2023	15,000,000.00	14,241,225.00	14,995,651.67	(754,426.67)
3134GXB17	FEDERAL HOME LOAN MORTGAGE CORP	0.325	95.5430	11/16/2023	15,000,000.00	14,331,450.00	14,996,091.39	(664,641.39)
3134GVB31	FEDERAL HOME LOAN MORTGAGE CORP	0.760	90.4371	05/28/2025	15,000,000.00	13,565,565.00	14,996,127.78	(1,430,562.78)
3130AKKF2	FEDERAL HOME LOAN BANKS	0.279	94.0452	03/28/2024	15,000,000.00	14,106,780.00	14,998,048.30	(891,268.30)
3134GVE95	FEDERAL HOME LOAN MORTGAGE CORP	0.650	90.4617	06/09/2025	15,000,000.00	13,569,255.00	15,000,000.00	(1,430,745.00)
3136G4YU1	FEDERAL NATIONAL MORTGAGE ASSOCIATION	0.730	90.0116	07/15/2025	15,000,000.00	13,501,740.00	15,000,000.00	(1,498,260.00)
3134GWET9	FEDERAL HOME LOAN MORTGAGE CORP	0.510	91.4019	01/29/2025	15,000,000.00	13,710,285.00	15,000,000.00	(1,289,715.00)
3136G4C27	FEDERAL NATIONAL MORTGAGE ASSOCIATION	0.700	89.8072	07/29/2025	15,000,000.00	13,471,080.00	15,000,000.00	(1,528,920.00)
3136G4B77	FEDERAL NATIONAL MORTGAGE ASSOCIATION	0.700	89.7495	08/04/2025	15,000,000.00	13,462,425.00	15,000,000.00	(1,537,575.00)
3136G4H63	FEDERAL NATIONAL MORTGAGE ASSOCIATION	0.550	89.1492	08/19/2025	15,000,000.00	13,372,380.00	15,000,000.00	(1,627,620.00)
3136G4J38	FEDERAL NATIONAL MORTGAGE ASSOCIATION	0.410	92.8038	08/12/2024	15,000,000.00	13,920,570.00	15,000,000.00	(1,079,430.00)
3136G4K51	FEDERAL NATIONAL MORTGAGE ASSOCIATION	0.310	96.5867	08/17/2023	15,000,000.00	14,488,005.00	15,000,000.00	(511,995.00)
3134GWL38	FEDERAL HOME LOAN MORTGAGE CORP	0.540	88.8856	09/15/2025	15,000,000.00	13,332,840.00	15,000,000.00	(1,667,160.00)
3133EMKG6	FEDERAL FARM CREDIT BANKS FUNDING CORP	0.200	97.3095	06/15/2023	15,000,000.00	14,596,425.00	15,000,000.00	(403,575.00)
3130AKKF2	FEDERAL HOME LOAN BANKS	0.270	94.0452	03/28/2024	15,000,000.00	14,106,780.00	15,000,000.00	(893,220.00)
3133EMLP5	FEDERAL FARM CREDIT BANKS FUNDING CORP	0.320	91.2868	12/23/2024	15,000,000.00	13,693,020.00	15,000,000.00	(1,306,980.00)
3130ALEM2	FEDERAL HOME LOAN BANKS	0.790	88.2189	02/25/2026	15,000,000.00	13,232,835.00	15,000,000.00	(1,767,165.00)
3130AMKB7	FEDERAL HOME LOAN BANKS	1.050	88.3739	05/26/2026	15,000,000.00	13,256,085.00	15,000,000.00	(1,743,915.00)
3130AMWT5	FEDERAL HOME LOAN BANKS	1.050	88.1817	06/26/2026	15,000,000.00	13,227,255.00	15,000,000.00	(1,772,745.00)
3130ANAJ9	FEDERAL HOME LOAN BANKS	1.000	87.7021	07/27/2026	15,000,000.00	13,155,315.00	15,000,000.00	(1,844,685.00)
3134GWC6M	FEDERAL HOME LOAN MORTGAGE CORP	0.420	94.9294	01/24/2024	15,000,000.00	14,239,410.00	15,000,000.00	(760,590.00)
3130ALFW9	FEDERAL HOME LOAN BANKS	0.790	88.0475	03/18/2026	15,000,000.00	13,207,125.00	15,000,000.00	(1,792,875.00)
3130AMS52	FEDERAL HOME LOAN BANKS	1.000	88.0894	06/08/2026	15,000,000.00	13,213,410.00	15,000,000.00	(1,786,590.00)
3130AKLB0	FEDERAL HOME LOAN BANKS	0.260	93.0626	06/28/2024	15,000,000.00	13,959,390.00	15,000,000.00	(1,040,610.00)
3134GWA10	FEDERAL HOME LOAN MORTGAGE CORP	0.500	94.0298	04/29/2024	15,000,000.00	14,104,470.00	15,000,000.00	(895,530.00)
3130ANBX7	FEDERAL HOME LOAN BANKS	1.000	87.7383	07/22/2026	15,000,000.00	13,160,745.00	15,000,000.00	(1,839,255.00)
3130ANB34	FEDERAL HOME LOAN BANKS	1.020	88.0104	07/06/2026	15,000,000.00	13,201,560.00	15,000,000.00	(1,798,440.00)
3135G43Z2	FEDERAL NATIONAL MORTGAGE ASSOCIATION	0.600	88.3315	11/25/2025	15,000,000.00	13,249,725.00	15,000,000.00	(1,750,275.00)
3135G44R9	FEDERAL NATIONAL MORTGAGE ASSOCIATION	0.420	92.7129	08/23/2024	15,000,000.00	13,906,935.00	15,000,000.00	(1,093,065.00)
3134GWT22	FEDERAL HOME LOAN MORTGAGE CORP	0.475	90.3471	03/24/2025	15,000,000.00	13,552,065.00	15,000,000.00	(1,447,935.00)
3130ALWL4	FEDERAL HOME LOAN BANKS	0.720	90.8357	04/08/2025	15,000,000.00	13,625,355.00	15,000,000.00	(1,374,645.00)
3130ANSC5	FEDERAL HOME LOAN BANKS	1.000	87.4768	08/26/2026	15,000,000.00	13,121,520.00	15,000,000.00	(1,878,480.00)
3130ANTS9	FEDERAL HOME LOAN BANKS	1.000	87.4768	08/26/2026	15,000,000.00	13,121,520.00	15,000,000.00	(1,878,480.00)
3130AP5M3	FEDERAL HOME LOAN BANKS	1.040	87.4360	09/28/2026	15,000,000.00	13,115,400.00	15,000,000.00	(1,884,600.00)
3130APAD7	FEDERAL HOME LOAN BANKS	1.035	87.4719	09/28/2026	15,000,000.00	13,120,785.00	15,000,000.00	(1,879,215.00)
3130ASH44	FEDERAL HOME LOAN BANKS	4.700	97.6758	06/30/2027	15,000,000.00	14,651,370.00	15,000,000.00	(348,630.00)
3134GXVM3	FEDERAL HOME LOAN MORTGAGE CORP	3.001	96.8111	09/23/2024	15,000,000.00	14,521,665.00	15,000,000.00	(478,335.00)
3130ATEZ6	FEDERAL HOME LOAN BANKS	4.200	99.4910	09/20/2023	15,000,000.00	14,923,650.00	15,000,000.00	(76,350.00)
3130ATEF0	FEDERAL HOME LOAN BANKS	4.250	96.6964	09/30/2027	15,000,000.00	14,504,460.00	15,000,000.00	(495,540.00)
3133EL3E2	FEDERAL FARM CREDIT BANKS FUNDING CORP	0.320	96.6742	08/10/2023	15,945,000.00	15,414,701.19	15,945,000.00	(530,298.81)
3130ALGJ7	FEDERAL HOME LOAN BANKS	3.010	88.6490	03/23/2026	19,500,000.00	17,286,555.00	18,253,751.09	(967,196.09)
3134GW4C7	FEDERAL HOME LOAN MORTGAGE CORP	3.092	86.3224	10/27/2026	20,000,000.00	17,264,480.00	18,299,007.25	(1,034,527.25)
3134GW4C7	FEDERAL HOME LOAN MORTGAGE CORP	3.046	86.3224	10/27/2026	20,000,000.00	17,264,480.00	18,338,530.41	(1,074,050.41)
3130ALED2	FEDERAL HOME LOAN BANKS	3.001	86.3925	02/24/2027	20,000,000.00	17,278,500.00	18,415,511.67	(1,137,011.67)
3130ALGJ7	FEDERAL HOME LOAN BANKS	1.000	88.6490	03/23/2026	19,500,000.00	17,286,555.00	19,500,000.00	(2,213,445.00)
3130ALGJ7	FEDERAL HOME LOAN BANKS	1.000	88.6490	03/23/2				

3130ATET0	FEDERAL HOME LOAN BANKS	3.702	97.1060	09/27/2027	20,000,000.00	19,421,200.00	19,998,038.34	(576,838.34)
3135GA4P3	FEDERAL NATIONAL MORTGAGE ASSOCIATION	0.650	88.6135	11/18/2025	20,000,000.00	17,722,700.00	20,000,000.00	(2,277,300.00)
3135GA5A5	FEDERAL NATIONAL MORTGAGE ASSOCIATION	0.350	94.5108	02/23/2024	20,000,000.00	18,902,160.00	20,000,000.00	(1,097,840.00)
3130ATBH9	FEDERAL HOME LOAN BANKS	3.700	99.0770	09/27/2023	20,000,000.00	19,815,400.00	20,000,000.00	(184,600.00)
3133ENC99	FEDERAL FARM CREDIT BANKS FUNDING CORP	3.629	96.0476	07/27/2026	20,000,000.00	19,209,520.00	20,044,297.52	(834,777.52)
3133ENS50	FEDERAL FARM CREDIT BANKS FUNDING CORP	4.231	99.0009	10/14/2027	23,775,000.00	23,537,463.98	23,663,817.58	(126,353.61)
3130ALCV4	FEDERAL HOME LOAN BANKS	2.112	88.1065	02/24/2026	25,000,000.00	22,026,625.00	23,924,044.09	(1,897,419.09)
3130AQF57	FEDERAL HOME LOAN BANKS	0.736	95.4792	12/22/2023	25,000,000.00	23,869,800.00	24,968,657.53	(1,098,857.53)
3130ALLP7	FEDERAL HOME LOAN BANKS	0.701	90.8695	03/17/2025	25,000,000.00	22,717,375.00	24,969,852.66	(2,252,477.66)
3130ATRJ8	FEDERAL HOME LOAN BANKS	4.680	99.9913	08/15/2023	25,000,000.00	24,997,825.00	24,995,865.25	1,959.75
3133EMTW2	FEDERAL FARM CREDIT BANKS FUNDING CORP	0.307	94.2107	03/18/2024	25,000,000.00	23,552,675.00	24,997,537.94	(1,444,862.94)
3133EMML3	FEDERAL FARM CREDIT BANKS FUNDING CORP	0.125	99.1986	01/12/2023	25,000,000.00	24,799,650.00	24,999,747.45	(200,097.45)
3130ALTH7	FEDERAL HOME LOAN BANKS	0.510	92.5032	09/30/2024	25,000,000.00	23,125,800.00	25,000,000.00	(1,874,200.00)
3130ALEH3	FEDERAL HOME LOAN BANKS	0.700	87.7875	03/16/2026	25,000,000.00	21,946,875.00	25,000,000.00	(3,053,125.00)
3130AQ6U2	FEDERAL HOME LOAN BANKS	1.000	94.2293	06/28/2024	25,000,000.00	23,557,325.00	25,000,000.00	(1,442,675.00)
3130AQAY9	FEDERAL HOME LOAN BANKS	1.500	88.4726	12/30/2026	25,000,000.00	22,118,150.00	25,000,000.00	(2,881,850.00)
3130ASKB4	FEDERAL HOME LOAN BANKS	3.350	98.4461	12/29/2023	25,000,000.00	24,611,525.00	25,000,000.00	(388,475.00)
3130ASLE7	FEDERAL HOME LOAN BANKS	3.203	98.6383	09/29/2023	25,000,000.00	24,659,575.00	25,000,000.00	(340,425.00)
3130ATEU7	FEDERAL HOME LOAN BANKS	4.017	99.5934	06/29/2023	25,000,000.00	24,898,350.00	25,000,000.00	(101,650.00)
3130ATLN5	FEDERAL HOME LOAN BANKS	4.308	99.7523	07/27/2023	25,000,000.00	24,938,075.00	25,000,000.00	(61,925.00)
3135G0U43	FEDERAL NATIONAL MORTGAGE ASSOCIATION	2.345	98.4789	09/12/2023	30,000,000.00	29,543,670.00	30,132,500.53	(588,830.53)
3133ENEW6	FEDERAL FARM CREDIT BANKS FUNDING CORP	0.457	97.6758	05/23/2023	50,000,000.00	48,837,900.00	49,977,256.48	(1,139,356.48)
3130AQ6Q6	FEDERAL HOME LOAN BANKS	0.500	97.3187	06/30/2023	50,000,000.00	48,659,350.00	50,000,000.00	(1,340,650.00)
3130AQ7C1	FEDERAL HOME LOAN BANKS	0.500	97.3187	06/30/2023	50,000,000.00	48,659,350.00	50,000,000.00	(1,340,650.00)
3130ATES2	FEDERAL HOME LOAN BANKS	4.200	99.4802	09/29/2023	50,000,000.00	49,740,100.00	50,000,000.00	(259,900.00)

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Agency
AGCY DISC

Cusip	Description	Yield	Market Price	Final Maturity	Par Value	Market Value	Book Value	Net Unrealized Gain/Loss
313385R24	FEDERAL HOME LOAN BANKS	1.552	99.7344	11/28/2022	15,000,000.00	14,960,160.00	14,982,675.00	(22,515.00)
313384FY0	FEDERAL HOME LOAN BANKS	2.035	97.5031	05/23/2023	17,189,000.00	16,759,807.86	16,994,661.65	(234,853.79)
313384BG3	FEDERAL HOME LOAN BANKS	2.484	98.9788	01/31/2023	20,000,000.00	19,795,760.00	19,876,138.89	(80,378.89)
313384BB4	FEDERAL HOME LOAN BANKS	2.484	99.0398	01/26/2023	20,000,000.00	19,807,960.00	19,882,944.45	(74,984.45)
313313M70	FEDERAL FARM CREDIT BANKS FUNDING CORP	0.401	99.9915	11/01/2022	20,000,000.00	19,998,300.00	20,000,000.00	(1,700.00)
313384KL2	FEDERAL HOME LOAN BANKS	4.644	96.3966	08/15/2023	25,000,000.00	24,099,150.00	24,102,128.47	(2,978.47)
313384LC1	FEDERAL HOME LOAN BANKS	4.121	96.1785	08/31/2023	25,000,000.00	24,044,625.00	24,158,333.34	(113,708.34)
313384GM5	FEDERAL HOME LOAN BANKS	4.429	97.3371	06/05/2023	25,000,000.00	24,334,275.00	24,352,000.00	(17,725.00)
313384FQ7	FEDERAL HOME LOAN BANKS	3.969	97.6071	05/15/2023	25,000,000.00	24,401,775.00	24,474,583.34	(72,808.34)
313384FM6	FEDERAL HOME LOAN BANKS	3.938	97.6439	05/12/2023	25,000,000.00	24,410,975.00	24,486,666.66	(75,691.66)
313384DJ5	FEDERAL HOME LOAN BANKS	3.102	98.3377	03/22/2023	25,000,000.00	24,584,425.00	24,701,354.17	(116,929.17)
313384EG0	FEDERAL HOME LOAN BANKS	1.722	98.0368	04/13/2023	25,000,000.00	24,509,200.00	24,807,569.44	(298,369.44)
313384AC3	FEDERAL HOME LOAN BANKS	1.433	99.3108	01/03/2023	25,000,000.00	24,827,700.00	24,937,875.00	(110,175.00)
313385P67	FEDERAL HOME LOAN BANKS	1.511	99.8618	11/16/2022	25,000,000.00	24,965,450.00	24,984,375.00	(18,925.00)
313384GW3	FEDERAL HOME LOAN BANKS	4.244	97.2198	06/14/2023	30,000,000.00	29,165,940.00	29,223,750.00	(57,810.00)
313384NE5	FEDERAL HOME LOAN BANKS	4.539	95.4978	10/20/2023	50,000,000.00	47,748,900.00	47,847,680.56	(98,780.56)
313384FE4	FEDERAL HOME LOAN BANKS	4.115	97.7350	05/05/2023	50,000,000.00	48,867,500.00	48,965,798.61	(98,298.61)
313384FM6	FEDERAL HOME LOAN BANKS	3.938	97.6439	05/12/2023	50,000,000.00	48,821,950.00	48,973,333.33	(151,383.33)
313384FT1	FEDERAL HOME LOAN BANKS	2.061	97.5702	05/18/2023	50,000,000.00	48,785,100.00	49,441,750.00	(656,650.00)
313384BA6	FEDERAL HOME LOAN BANKS	1.474	99.0533	01/25/2023	50,000,000.00	49,526,650.00	49,827,638.95	(300,988.95)
313384AS8	FEDERAL HOME LOAN BANKS	1.464	99.1468	01/17/2023	50,000,000.00	49,573,400.00	49,844,930.56	(271,530.56)

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Agency CMO
FHLMC CMO

Cusip	Description	Yield	Market Price	Final Maturity	Par Value	Market Value	Book Value	Net Unrealized Gain/Loss
3137B3NA2	FHMS K-030 A2	4.517	99.4103	04/25/2023	17,966,973.20	17,861,016.75	17,863,087.87	(2,071.12)
3137B1UG5	FHMS K-027 A2	3.419	99.6016	01/25/2023	38,094,608.22	37,942,840.82	38,019,699.23	(76,858.41)

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Agency CMO
FNMA CMO

Cusip	Description	Yield	Market Price	Final Maturity	Par Value	Market Value	Book Value	Net Unrealized Gain/Loss
3136AW7J0	FNA 2017-M8 A2	3.406	93.3488	05/25/2027	13,628,537.40	12,722,077.62	13,483,836.30	(761,758.68)
3136AW7J0	FNA 2017-M8 A2	3.406	93.3488	05/25/2027	13,628,537.40	12,722,077.62	13,483,836.30	(761,758.68)

Agency MBS
FHLMC

Cusip	Description	Yield	Market Price	Final Maturity	Par Value	Market Value	Book Value	Net Unrealized Gain/Loss
3137BXQY1	FHMS K-064 A2	3.154	93.7573	03/25/2027	1,000,000.00	937,572.58	1,001,596.42	(64,023.84)
3137BYYY9	FHMS K-037 A2	4.889	98.1991	01/25/2024	9,500,000.00	9,328,917.45	9,347,837.66	(18,920.21)
3137FNWX4	FHMS K-736 A2	3.655	91.3303	07/25/2026	10,000,000.00	9,133,034.10	9,548,146.06	(415,111.96)
3137F2LJ3	FHMS K-066 A2	3.111	93.1011	06/25/2027	11,095,000.00	10,329,568.71	11,085,129.43	(755,560.72)
3137B7MZ9	FHMS K-036 A2	4.912	98.5365	10/25/2023	14,250,000.00	14,041,456.10	14,055,903.82	(14,447.73)
3137FMU67	FHMS K-735 A2	3.518	93.4385	05/25/2026	14,949,942.45	13,969,005.71	14,630,033.20	(661,027.49)
3137B36J2	FHMS K-029 A2	3.287	99.5248	02/25/2023	15,915,763.40	15,840,128.99	15,901,319.69	(61,190.71)
3137B4WB8	FHMS K-033 A2	3.422	98.6794	07/25/2023	19,620,000.00	19,360,900.24	19,551,781.03	(190,880.79)
3137B36J2	FHMS K-029 A2	3.660	99.5248	02/25/2023	23,066,135.01	22,956,520.81	23,014,171.74	(57,650.93)
3137B3NX2	FHMS K-031 A2	3.494	99.1975	04/25/2023	24,023,748.50	23,830,958.88	23,969,703.80	(138,744.92)
3137B5KW2	FHMS K-035 A2	3.667	98.8033	08/25/2023	24,734,264.50	24,438,277.72	24,655,869.33	(217,591.61)
3137B5JM6	FHMS K-034 A2	3.499	98.8716	07/25/2023	24,990,241.25	24,708,248.12	24,954,487.92	(246,239.80)

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Agency MBS
FNMA

Cusip	Description	Yield	Market Price	Final Maturity	Par Value	Market Value	Book Value	Net Unrealized Gain/Loss
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3138LEGR6	FN AN2007	3.059	97.5718	07/01/2023	5,009,513.10	4,887,874.55	4,974,472.53	(86,597.97)
3136AHAG5	FNA 2013-M14 A2	5.541	98.4699	10/25/2023	5,175,670.82	5,096,477.68	5,100,484.80	(4,007.12)
3138LHZL1	FN AN5246	3.365	93.4490	05/01/2027	7,100,000.00	6,634,878.08	7,069,376.11	(434,498.03)
3138LCH81	FN AN0254	3.738	94.3299	12/01/2025	7,478,480.97	7,054,445.57	7,351,826.10	(297,380.53)
3136AKQM8	FNA 2014-M8 A2	5.910	97.1202	06/25/2024	8,125,128.00	7,891,143.98	7,906,508.68	(15,364.71)
3138LENE7	FN AN2188	3.543	91.9077	07/01/2026	10,000,000.00	9,190,770.90	9,827,302.30	(636,531.40)
3138L36P5	FN AM3577	5.568	98.0127	06/01/2023	13,189,814.60	12,927,699.35	12,972,383.92	(44,684.56)
3138LCHR9	FEDERAL NATIONAL MORTGAGE ASSOCIATION	2.939	94.3299	12/01/2025	14,299,198.65	13,488,423.51	14,287,461.02	(799,037.51)
3138LDSW9	FN AN1760	4.176	92.3598	06/01/2026	15,000,000.00	13,853,965.20	14,623,408.39	(769,443.19)
3138LJ5T3	FN AN6257	4.582	92.8437	08/01/2027	15,506,946.46	14,397,223.01	14,715,902.83	(318,679.83)
3138LHUZ5	FN AN5099	3.076	93.0360	04/01/2027	24,407,490.50	22,707,751.15	24,385,818.44	(1,678,067.29)
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CD

CD	Cusip	Description	Yield	Market Price	Final Maturity	Par Value	Market Value	Book Value	Net Unrealized Gain/Loss
	89114WNL5	Toronto-Dominion Bank - New York Branch	0.440	100.0000	11/22/2022	15,000,000.00	15,000,000.00	15,000,000.00	0.00
	89114WPN9	Toronto-Dominion Bank - New York Branch	0.800	100.0000	01/20/2023	20,000,000.00	20,000,000.00	20,000,000.00	0.00
	89114WVA0	Toronto-Dominion Bank - New York Branch	2.200	100.0000	03/20/2023	20,000,000.00	20,000,000.00	20,000,000.00	0.00
	89115B6S4	Toronto-Dominion Bank - New York Branch	3.850	100.0000	05/15/2023	20,000,000.00	20,000,000.00	20,000,000.00	0.00
	78012U2T1	Royal Bank of Canada New York Branch	0.500	100.0000	11/21/2022	25,000,000.00	25,000,000.00	25,000,000.00	0.00
	78012U3E3	Royal Bank of Canada New York Branch	0.800	100.0000	01/24/2023	25,000,000.00	25,000,000.00	25,000,000.00	0.00
	89114WPS8	Toronto-Dominion Bank - New York Branch	0.810	100.0000	01/25/2023	25,000,000.00	25,000,000.00	25,000,000.00	0.00
	78012U4P7	Royal Bank of Canada New York Branch	1.800	100.0000	01/23/2023	25,000,000.00	25,000,000.00	25,000,000.00	0.00
	78012U4U6	Royal Bank of Canada New York Branch	1.830	100.0000	01/03/2023	25,000,000.00	25,000,000.00	25,000,000.00	0.00
	78012U5A9	Royal Bank of Canada New York Branch	2.050	100.0000	02/13/2023	25,000,000.00	25,000,000.00	25,000,000.00	0.00
	78012U5E1	Royal Bank of Canada New York Branch	2.000	100.0000	01/18/2023	25,000,000.00	25,000,000.00	25,000,000.00	0.00
	89114WXR1	Toronto-Dominion Bank - New York Branch	1.308	100.0000	05/22/2023	25,000,000.00	25,000,000.00	25,000,000.00	0.00
	78012U6X8	Royal Bank of Canada New York Branch	3.710	100.0000	06/22/2023	25,000,000.00	25,000,000.00	25,000,000.00	0.00
	89114WNE1	Toronto-Dominion Bank - New York Branch	0.430	100.0000	11/21/2022	30,000,000.00	30,000,000.00	30,000,000.00	0.00
	21684XVQ6	Rabobank Nederland - New York Branch	1.720	100.0000	11/21/2022	30,000,000.00	30,000,000.00	30,000,000.00	0.00
	86959JR92	Svenska Handels AB Publ - New York Branch	3.620	100.0000	01/04/2023	30,000,000.00	30,000,000.00	30,000,000.00	0.00
	78012U4T9	Royal Bank of Canada New York Branch	1.870	100.0000	01/25/2023	35,000,000.00	35,000,000.00	35,000,000.00	0.00
	78012U5F8	Royal Bank of Canada New York Branch	2.220	100.0000	03/20/2023	35,000,000.00	35,000,000.00	35,000,000.00	0.00
	21684XWU6	Rabobank Nederland - New York Branch	1.760	100.0000	11/16/2022	40,000,000.00	40,000,000.00	40,000,000.00	0.00
	78012U257	Royal Bank of Canada New York Branch	0.380	100.0000	11/17/2022	50,000,000.00	50,000,000.00	50,000,000.00	0.00
	06367CTN7	Bank of Montreal - Chicago Branch	1.640	100.0000	11/30/2022	50,000,000.00	50,000,000.00	50,000,000.00	0.00
	06417MXK6	Bank of Nova Scotia - Houston Branch	0.700	100.0000	01/03/2023	50,000,000.00	50,000,000.00	50,000,000.00	0.00
	21684XXJ0	Rabobank Nederland - New York Branch	2.450	100.0000	02/13/2023	50,000,000.00	50,000,000.00	50,000,000.00	0.00
	06367CVY0	Bank of Montreal - Chicago Branch	3.060	100.0000	01/23/2023	50,000,000.00	50,000,000.00	50,000,000.00	0.00
	06367CWS2	Bank of Montreal - Chicago Branch	3.330	100.0000	02/17/2023	50,000,000.00	50,000,000.00	50,000,000.00	0.00
	89115B6E5	Toronto-Dominion Bank - New York Branch	3.210	100.0000	01/09/2023	50,000,000.00	50,000,000.00	50,000,000.00	0.00
	06417MA21	Bank of Nova Scotia - Houston Branch	3.400	100.0000	01/23/2023	50,000,000.00	50,000,000.00	50,000,000.00	0.00
	06417MB46	Bank of Nova Scotia - Houston Branch	3.400	100.0000	02/28/2023	50,000,000.00	50,000,000.00	50,000,000.00	0.00
	65558UXB3	Nordea ABP - New York Branch	4.150	100.0000	03/28/2023	50,000,000.00	50,000,000.00	50,000,000.00	0.00
	89115BWW6	Toronto-Dominion Bank - New York Branch	4.760	100.0000	08/31/2023	50,000,000.00	50,000,000.00	50,000,000.00	0.00
	06367CXZ5	Bank of Montreal - Chicago Branch	4.520	100.0000	06/07/2023	50,000,000.00	50,000,000.00	50,000,000.00	0.00
	06417MJ22	Bank of Nova Scotia - Houston Branch	3.490	100.0000	02/22/2023	50,000,000.00	50,000,000.00	50,000,000.00	0.00
	06367CYY7	Bank of Montreal - Chicago Branch	5.180	100.0000	05/30/2023	50,000,000.00	50,000,000.00	50,000,000.00	0.00
	89115B6P0	Toronto-Dominion Bank - New York Branch	5.260	100.0000	06/27/2023	50,000,000.00	50,000,000.00	50,000,000.00	0.00
	86959RF88	Svenska Handels AB Publ - New York Branch	3.515	100.0032	02/27/2023	50,000,000.00	50,001,610.58	50,001,610.58	0.00
	89114WKA2	Toronto-Dominion Bank - New York Branch	0.310	100.0000	11/03/2022	55,000,000.00	55,000,000.00	55,000,000.00	0.00
	89114WMP7	Toronto-Dominion Bank - New York Branch	0.430	100.0000	11/10/2022	75,000,000.00	75,000,000.00	75,000,000.00	0.00
	78012U2K0	Royal Bank of Canada New York Branch	0.450	100.0000	11/08/2022	75,000,000.00	75,000,000.00	75,000,000.00	0.00
	86959RH52	Svenska Handels AB Publ - New York Branch	4.200	100.0000	03/17/2023	75,000,000.00	75,000,000.00	75,000,000.00	0.00
	78015JKE6	Royal Bank of Canada New York Branch	5.390	100.0000	08/21/2023	75,000,000.00	75,000,000.00	75,000,000.00	0.00
	21684XZA7	Rabobank Nederland - New York Branch	3.880	100.0000	05/26/2023	100,000,000.00	100,000,000.00	100,000,000.00	0.00
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CP

CP	Cusip	Description	Yield	Market Price	Final Maturity	Par Value	Market Value	Book Value	Net Unrealized Gain/Loss
	6698M5LE7	Novartis Finance Corporation	3.423	99.8718	11/14/2022	5,275,000.00	5,268,237.74	5,268,542.52	(304.78)
	46640QN64	J.P. Morgan Securities LLC	4.056	99.2667	01/06/2023	15,000,000.00	14,890,000.00	14,890,000.00	0.00
	6698M5LM9	Novartis Finance Corporation	3.506	99.8072	11/21/2022	17,000,000.00	16,967,227.78	16,967,227.78	0.00
	6698M5LE7	Novartis Finance Corporation	3.585	99.8718	11/14/2022	18,000,000.00	17,976,925.00	17,976,925.00	0.00
	6698M5LE7	Novartis Finance Corporation	3.585	99.8718	11/14/2022	18,000,000.00	17,976,925.00	17,976,925.00	0.00
	6698M5LE7	Novartis Finance Corporation	3.585	99.8718	11/14/2022	18,000,000.00	17,976,925.00	17,976,925.00	0.00
	7426M5SX3	Private Export Funding Corporation	4.583	97.3801	05/31/2023	25,000,000.00	24,345,020.83	24,345,020.83	0.00
	7426M3SK6	Private Export Funding Corporation	4.424	97.6120	05/19/2023	25,000,000.00	24,403,000.00	24,403,000.00	0.00
	7426M5S39	Private Export Funding Corporation	4.420	97.8040	05/03/2023	25,000,000.00	24,451,000.00	24,451,000.00	0.00
	7426M5Q31	Private Export Funding Corporation	3.274	98.9088	03/03/2023	25,000,000.00	24,727,194.44	24,727,194.44	0.00
	7426M5NH3	Private Export Funding Corporation	4.030	99.1509	01/17/2023	25,000,000.00	24,787,715.28	24,787,715.28	0.00
	02314QP78	Amazon.com, Inc.	2.792	99.2514	02/07/2023	25,000,000.00	24,812,847.22	24,812,847.22	0.00
	02314QP78	Amazon.com, Inc.	2.791	99.2514	02/07/2023	25,000,000.00	24,812,847.22	24,812,847.22	0.00
	7426M5NP5	Private Export Funding Corporation	1.454	99.6680	01/23/2023	25,000,000.00	24,917,000.00	24,917,000.00	0.00
	63763QLP0	National Securities Clearing Corporation	3.184	99.8075	11/23/2022	25,000,000.00	24,951,875.00	24,951,875.00	0.00
	63763QLE5	National Securities Clearing Corporation	3.263	99.8834	11/14/2022	25,000,000.00	24,970,840.28	24,970,840.28	0.00
	7426M3L23	Private Export Funding Corporation	1.551	99.9957	11/02/2022	25,000,000.00	24,998,930.56	24,998,930.56	0.00
	46640QPH8	J.P. Morgan Securities LLC	3.563	98.9500	02/17/2023	27,000,000.00	26,716,500.00	26,716,500.00	0.00
	46640QPM7	J.P. Morgan Securities LLC	4.679	98.5720	02/21/2023	30,000,000.00	29,571,600.00	29,571,600.00	0.00
	63763QNB9	National Securities Clearing Corporation	3.702	99.2801	01/11/2023	30,000,000.00	29,784,041.66	29,784,041.66	0.00
	46640QNL1	J.P. Morgan Securities LLC	2.200	99.5178	01/20/2023	30,000,000.00	29,855,333.33	29,855,333.33	0.00
	63763QP84	National Securities Clearing Corporation	3.964	98.9275	02/08/2023	32,000,000.00	31,656,800.00	31,656,800.00	0.00
	63763QLJ4	National Securities Clearing Corporation	3.283	99.8465	11/18/2022	33,150,000.00	33,099,123.96	33,099,123.96	0.00
	74271UNB2	The Procter & Gamble Company	3.752	99.2703	01/11/2023	40,000,000.00	39,708,111.11	39,708,111.11	0.00
	6698M5LF4	Novartis Finance Corporation	3.433	99.8678	11/15/2022	40,000,000.00	39,947,111.11	39,947,111.11	0.00
	46640QSA0	J.P. Morgan Securities LLC	4.377	97.7464	05/10/2023	50,000,000.00	48,873,194.45	48,873,194.45	0.00
	46640QSW2	J.P. Morgan Securities LLC	3.956	97.7483	05/30/2023	50,000,000.00	48,874,166.67	48,874,166.67	0.00
	63763QNN4	National Securities Clearing Corporation	3.590	99.3215	01/09/2023	50,000,000.00	49,660,750.00	49,660,750.00	0.00
	63763QNN7	National Securities Clearing Corporation	3.649	99.3700	01/03/2023	50,000,000.00	49,685,000.00	49,685,000.00	0.00
	63763QL96	National Securities Clearing Corporation	3.131	99.9311	11/09/2022	50,000,000.00	49,965,555.56	49,965,555.56	0.00

93114FLE2	Walmart Inc.	3.534	99.8736	11/14/2022	60,000,000.00	59,924,166.67	59,924,166.67	0.00
03785ELE2	Apple Inc.	3.180	99.8863	11/14/2022	60,000,000.00	59,931,750.00	59,931,750.00	0.00
93114FL77	Walmart Inc.	3.249	99.9463	11/07/2022	100,000,000.00	99,946,333.33	99,946,333.33	0.00
---	---	3.480	99.2786	01/09/2023	1,098,425,000.00	1,090,434,049.21	1,090,434,353.99	(304.77)
MM Fund								
MMFUND								
Cusip	Description	Yield	Market Price	Final Maturity	Par Value	Market Value	Book Value	Net Unrealized Gain/Loss
09248U700	BLKRK LQ:FEDFUND INSTL	2.890	1.0000	10/31/2022	1,000,000.00	1,000,000.00	1,000,000.00	0.00
949921126	ALLSPRING:GOVT MM SEL	2.950	1.0000	10/31/2022	1,000,000.00	1,000,000.00	1,000,000.00	0.00
608919718	FEDERATED HRMS GV O PRMR	2.950	1.0000	10/31/2022	1,000,000.00	1,000,000.00	1,000,000.00	0.00
31607A703	FIDELITY IMM:GOVT INSTL	2.910	1.0000	10/31/2022	1,000,000.00	1,000,000.00	1,000,000.00	0.00
4812CA538	JPMORGAN:US GVT MM EMPWR	2.820	1.0000	10/31/2022	1,000,000.00	1,000,000.00	1,000,000.00	0.00
85749T517	SS INST INV:US GV MM OPP	2.970	1.0000	10/31/2022	1,000,000.00	1,000,000.00	1,000,000.00	0.00
38141W273	GOLDMAN:FS GOVT INST	3.070	1.0000	10/31/2022	68,000,000.00	68,000,000.00	68,000,000.00	0.00
38141W273	GOLDMAN:FS GOVT INST	3.070	1.0000	10/31/2022	90,000,000.00	90,000,000.00	90,000,000.00	0.00
38141W273	GOLDMAN:FS GOVT INST	3.070	1.0000	10/31/2022	140,000,000.00	140,000,000.00	140,000,000.00	0.00
---	---	3.067	1.0000	10/31/2022	304,000,000.00	304,000,000.00	304,000,000.00	0.00
Muni								
MUNI								
Cusip	Description	Yield	Market Price	Final Maturity	Par Value	Market Value	Book Value	Net Unrealized Gain/Loss
826239FX8	SIERRA CALIF JT CMNTY COLLEGE DIST	0.229	96.4420	08/01/2023	260,000.00	250,749.20	260,000.00	(9,250.80)
757710UR7	REDONDO BEACH CALIF UNI SCH DIST	1.222	97.3650	08/01/2023	260,000.00	253,149.00	260,000.00	(6,851.00)
074437HA5	BEAUMONT CALIF UNI SCH DIST	0.690	91.9820	08/01/2024	275,000.00	252,950.50	275,000.00	(22,049.50)
797508JT6	SAN DIEGUITO CALIF UN HIGH SCH DIST	0.275	96.5130	08/01/2023	425,000.00	410,180.25	425,000.00	(14,819.75)
826239FY6	SIERRA CALIF JT CMNTY COLLEGE DIST	0.344	92.0300	08/01/2024	500,000.00	460,150.00	500,000.00	(39,850.00)
799017XT0	SAN MATEO CALIF UN HIGH SCH DIST	0.256	96.0100	09/01/2023	500,000.00	480,050.00	500,000.00	(19,950.00)
074437HB3	BEAUMONT CALIF UNI SCH DIST	1.109	89.0570	08/01/2025	500,000.00	445,285.00	500,000.00	(54,715.00)
757710US5	REDONDO BEACH CALIF UNI SCH DIST	1.571	94.6140	08/01/2024	500,000.00	473,070.00	500,000.00	(26,930.00)
987388GU3	YOSEMITE CALIF CMNTY COLLEGE DIST	1.440	94.0610	08/01/2024	700,000.00	658,427.00	700,000.00	(41,573.00)
826239GH2	SIERRA CALIF JT CMNTY COLLEGE DIST	0.354	92.3620	08/01/2024	720,000.00	665,006.40	720,000.00	(54,993.60)
987388GT6	YOSEMITE CALIF CMNTY COLLEGE DIST	1.140	97.1390	08/01/2023	750,000.00	728,542.50	750,000.00	(21,457.50)
797508HV3	SAN DIEGUITO CALIF UN HIGH SCH DIST	0.275	96.5130	08/01/2023	1,000,000.00	965,130.00	1,000,000.00	(34,870.00)
802498YY5	SANTA MONICA-MALIBU UNI SCH DIST CALIF	0.396	92.6220	08/01/2024	1,000,000.00	926,220.00	1,000,000.00	(73,780.00)
802498YZ2	SANTA MONICA-MALIBU UNI SCH DIST CALIF	0.669	88.6950	08/01/2025	1,000,000.00	886,950.00	1,000,000.00	(113,050.00)
56781RKT3	MARIN CALIF CMNTY COLLEGE DIST	0.763	90.0630	08/01/2025	1,065,000.00	959,170.95	1,065,000.00	(105,829.05)
419792D37	HAWAII ST	0.713	91.9090	10/01/2024	2,500,000.00	2,297,725.00	2,500,000.00	(202,275.00)
8014952P6	SANTA CLARA CALIF UNI SCH DIST	0.210	97.0360	07/01/2023	2,870,000.00	2,784,933.20	2,870,000.00	(85,066.80)
419792D29	HAWAII ST	0.422	95.6960	10/01/2023	3,260,000.00	3,119,689.60	3,260,000.00	(140,310.40)
419792D45	HAWAII ST	1.033	88.9750	10/01/2025	3,660,000.00	3,256,485.00	3,660,000.00	(403,515.00)
7994082E8	SAN RAMON VALLEY CALIF UNI SCH DIST	0.967	89.6530	08/01/2025	4,505,000.00	4,038,867.65	4,505,000.00	(466,132.35)
882724XJ1	TEXAS ST	0.508	96.0310	10/01/2023	4,745,000.00	4,556,670.95	4,745,000.00	(188,329.05)
882724XK8	TEXAS ST	0.794	92.6890	10/01/2024	5,810,000.00	5,385,230.90	5,810,000.00	(424,769.10)
419792F92	HAWAII ST	1.033	89.7110	08/01/2025	6,250,000.00	5,606,937.50	6,250,000.00	(643,062.50)
419792F84	HAWAII ST	0.713	93.0970	08/01/2024	9,000,000.00	8,378,730.00	9,000,000.00	(621,270.00)
419792A71	HAWAII ST	0.713	91.9090	10/01/2024	10,000,000.00	9,190,900.00	10,000,000.00	(809,100.00)
419792A63	HAWAII ST	0.422	95.6960	10/01/2023	10,000,000.00	9,569,600.00	10,000,000.00	(430,400.00)
93974EYB6	WASHINGTON ST	3.350	95.9420	08/01/2025	10,065,000.00	9,656,562.30	10,065,000.00	(408,437.70)
419792A89	HAWAII ST	1.033	93.5640	10/01/2025	12,775,000.00	11,952,801.00	13,399,908.95	(1,447,107.95)
93974EYA8	WASHINGTON ST	3.350	97.4030	08/01/2024	13,475,000.00	13,125,054.25	13,475,000.00	(349,945.75)
93974ETF3	WASHINGTON ST	0.470	92.4540	08/01/2024	14,995,000.00	13,863,477.30	14,995,000.00	(1,131,522.70)
419792F76	HAWAII ST	0.422	96.7170	08/01/2023	15,000,000.00	14,507,550.00	15,000,000.00	(492,450.00)
93974EXZ4	WASHINGTON ST	3.250	98.7510	08/01/2023	18,840,000.00	18,604,688.40	18,840,000.00	(235,311.60)
93974EYC4	WASHINGTON ST	3.370	94.4320	08/01/2026	20,825,000.00	19,665,464.00	20,825,000.00	(1,159,536.00)
---	---	1.608	94.5740	10/07/2024	178,030,000.00	168,376,397.85	178,654,908.95	(10,278,511.10)
Mutual Fund								
Open-End Fund								
Cusip	Description	Yield	Market Price	Final Maturity	Par Value	Market Value	Book Value	Net Unrealized Gain/Loss
CLTRSF	CALTRUST	---	1.0086	---	93,213,169.12	94,017,200.84	94,017,200.84	(0.00)
CLTRSF	CALTRUST	---	1.0086	---	93,213,169.12	94,017,200.84	94,017,200.84	(0.00)
Non-US Gov								
SUPRANATIONAL								
Cusip	Description	Yield	Market Price	Final Maturity	Par Value	Market Value	Book Value	Net Unrealized Gain/Loss
45906M3C3	INTERNATIONAL BANK FOR RECONSTRUCTION AND DE	2.540	96.7570	03/28/2024	3,895,000.00	3,768,685.15	3,879,590.51	(110,905.36)
45950VRA6	INTERNATIONAL FINANCE CORP	1.099	92.3620	01/21/2025	25,000,000.00	23,090,500.00	24,967,957.12	(1,877,457.12)
45950VQG4	INTERNATIONAL FINANCE CORP	0.484	91.8504	09/23/2024	25,000,000.00	22,962,600.00	24,979,322.08	(2,016,722.08)
45950VQL3	INTERNATIONAL FINANCE CORPORATION	0.719	92.2940	10/29/2024	25,000,000.00	23,073,500.00	24,980,853.47	(1,907,353.47)
45950VQZ2	INTERNATIONAL FINANCE CORP	0.829	95.7260	01/19/2024	25,000,000.00	23,931,500.00	24,988,337.40	(1,056,837.40)
45950VPQ3	INTERNATIONAL FINANCE CORP	0.273	92.2210	08/22/2024	25,000,000.00	23,055,250.00	24,989,783.59	(1,934,533.59)
---	---	0.737	93.0073	08/25/2024	128,895,000.00	119,882,035.15	128,785,844.16	(8,903,809.01)
Repo								
REPO								
Cusip	Description	Yield	Market Price	Final Maturity	Par Value	Market Value	Book Value	Net Unrealized Gain/Loss
RP11012022301	RP11012022301	3.010	100.0000	11/01/2022	240,000,000.00	240,000,000.00	240,000,000.00	0.00
RP11012022301	RP11012022301	3.010	100.0000	11/01/2022	240,000,000.00	240,000,000.00	240,000,000.00	0.00
US Gov								
T-BILL								
Cusip	Description	Yield	Market Price	Final Maturity	Par Value	Market Value	Book Value	Net Unrealized Gain/Loss
912796X53	UNITED STATES TREASURY	2.850	97.3006	06/15/2023	10,000,000.00	9,730,055.60	9,827,204.19	(97,148.59)

912796U31	UNITED STATES TREASURY	1.723	98.3473	03/23/2023	10,000,000.00	9,834,727.80	9,933,753.05	(99,025.25)
912796X79	UNITED STATES TREASURY	2.188	99.5692	12/15/2022	10,000,000.00	9,956,916.70	9,973,905.56	(16,988.86)
912796W70	UNITED STATES TREASURY	1.532	99.7763	11/25/2022	10,000,000.00	9,977,633.30	9,990,000.00	(12,366.70)
912796YV5	UNITED STATES TREASURY	4.433	97.8391	04/27/2023	25,000,000.00	24,459,781.25	24,474,162.50	(14,381.25)
912796YA1	UNITED STATES TREASURY	3.099	98.7858	02/16/2023	25,000,000.00	24,696,461.75	24,776,340.31	(79,878.56)
912796YA1	UNITED STATES TREASURY	3.099	98.7858	02/16/2023	25,000,000.00	24,696,461.75	24,776,340.31	(79,878.56)
912796U31	UNITED STATES TREASURY	1.623	98.3473	03/23/2023	25,000,000.00	24,586,819.50	24,843,997.20	(257,177.70)
912796T33	UNITED STATES TREASURY	1.627	98.6811	02/23/2023	25,000,000.00	24,670,270.75	24,874,322.92	(204,052.17)
912796T33	UNITED STATES TREASURY	1.315	98.6811	02/23/2023	25,000,000.00	24,670,270.75	24,898,270.83	(228,000.08)
912796S34	UNITED STATES TREASURY	1.359	99.0456	01/26/2023	25,000,000.00	24,761,409.75	24,920,614.24	(159,204.49)
912796P94	UNITED STATES TREASURY	0.244	99.7138	12/01/2022	25,000,000.00	24,928,437.50	24,994,999.99	(66,562.49)
912796T33	UNITED STATES TREASURY	1.630	98.6811	02/23/2023	30,000,000.00	29,604,324.90	29,848,950.00	(244,625.10)
912796N96	UNITED STATES TREASURY	0.999	99.9880	11/03/2022	35,000,000.00	34,995,800.00	34,998,094.45	(2,294.45)
912796X95	UNITED STATES TREASURY	2.650	99.3130	01/05/2023	50,000,000.00	49,656,493.00	49,767,083.33	(110,590.33)
912796X95	UNITED STATES TREASURY	2.637	99.3130	01/05/2023	50,000,000.00	49,656,493.00	49,768,211.80	(111,718.80)
912796S34	UNITED STATES TREASURY	1.293	99.0456	01/26/2023	50,000,000.00	49,522,819.50	49,848,902.78	(326,083.28)
912796R27	UNITED STATES TREASURY	0.381	99.3821	12/29/2022	50,000,000.00	49,691,069.50	49,969,791.67	(278,722.17)
912796N96	UNITED STATES TREASURY	0.203	99.9880	11/03/2022	50,000,000.00	49,994,000.00	49,999,444.44	(5,444.44)
912796S34	UNITED STATES TREASURY	1.360	99.0456	01/26/2023	75,000,000.00	74,284,229.25	74,761,708.34	(477,479.09)
912796YR4	UNITED STATES TREASURY	2.736	99.8075	11/22/2022	75,000,000.00	74,855,625.00	74,882,730.31	(27,105.31)

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Cusip	Description	Yield	Market Price	Final Maturity	Par Value	Market Value	Book Value	Net Unrealized Gain/Loss
91282CFM8	UNITED STATES TREASURY	4.302	99.4063	09/30/2027	5,000,000.00	4,970,312.50	4,961,132.17	9,180.33
91282CFH9	UNITED STATES TREASURY	3.269	95.1563	08/31/2027	5,000,000.00	4,757,812.50	4,968,112.94	(210,300.44)
912828R69	UNITED STATES TREASURY	2.304	98.2969	05/31/2023	5,000,000.00	4,914,843.75	4,980,712.02	(65,868.27)
91282CDG3	UNITED STATES TREASURY	2.884	88.2031	10/31/2026	10,000,000.00	8,820,312.50	9,345,605.18	(525,292.68)
91282CAP6	UNITED STATES TREASURY	2.274	95.7969	10/15/2023	10,000,000.00	9,579,687.50	9,799,842.03	(220,154.53)
912828XX3	UNITED STATES TREASURY	3.217	95.7813	06/30/2024	10,000,000.00	9,578,125.00	9,805,741.72	(227,616.72)
912828T91	UNITED STATES TREASURY	2.617	97.0625	10/31/2023	10,000,000.00	9,706,250.00	9,903,814.34	(197,564.34)
912828XT2	UNITED STATES TREASURY	2.567	95.9531	05/31/2024	10,000,000.00	9,595,312.50	9,913,288.84	(317,976.34)
91282CBH3	UNITED STATES TREASURY	0.593	87.8125	01/31/2026	10,000,000.00	8,781,250.00	9,930,266.15	(1,149,016.15)
91282CBH3	UNITED STATES TREASURY	0.586	87.8125	01/31/2026	10,000,000.00	8,781,250.00	9,932,511.87	(1,151,261.87)
912828R69	UNITED STATES TREASURY	2.082	98.2969	05/31/2023	10,000,000.00	9,829,687.50	9,973,972.04	(144,284.54)
91282CEG2	UNITED STATES TREASURY	2.358	96.6875	03/31/2024	10,000,000.00	9,668,750.00	9,985,191.96	(316,441.96)
91282CEH0	UNITED STATES TREASURY	2.647	95.7188	04/15/2025	10,000,000.00	9,571,875.00	9,994,876.49	(423,001.49)
9128284U1	UNITED STATES TREASURY	2.336	98.7813	06/30/2023	10,000,000.00	9,878,125.00	10,018,682.55	(140,557.55)
912828S52	UNITED STATES TREASURY	2.300	98.3438	10/31/2023	10,000,000.00	9,834,375.00	10,055,859.38	(221,484.38)
912828ZC7	UNITED STATES TREASURY	0.540	92.6250	02/28/2025	10,000,000.00	9,262,500.00	10,134,732.55	(872,232.55)
912828P46	UNITED STATES TREASURY	0.799	91.4375	02/15/2026	10,000,000.00	9,143,750.00	10,266,094.16	(1,122,344.16)
912828P46	UNITED STATES TREASURY	0.670	91.4375	02/15/2026	10,000,000.00	9,143,750.00	10,308,805.75	(1,165,055.75)
91282CBH3	UNITED STATES TREASURY	2.447	87.8125	01/31/2026	15,000,000.00	13,171,875.00	14,042,073.64	(870,198.64)
91282CCZ2	UNITED STATES TREASURY	2.540	87.5156	09/30/2026	15,000,000.00	13,127,343.75	14,082,273.34	(954,929.59)
91282CDM0	UNITED STATES TREASURY	2.495	95.6563	11/30/2023	15,000,000.00	14,348,437.50	14,685,512.99	(337,075.49)
912828ZL7	UNITED STATES TREASURY	0.445	90.5000	04/30/2025	15,000,000.00	13,575,000.00	14,974,096.57	(1,399,096.57)
91282CEW7	UNITED STATES TREASURY	3.213	95.6563	06/30/2027	15,000,000.00	14,348,437.50	15,023,663.93	(675,226.43)
9128284R8	UNITED STATES TREASURY	2.799	96.0469	05/31/2025	15,000,000.00	14,407,031.25	15,027,891.25	(620,860.00)
9128284S6	UNITED STATES TREASURY	2.070	99.0000	05/31/2023	15,000,000.00	14,850,000.00	15,057,943.20	(207,943.20)
91282CEW7	UNITED STATES TREASURY	3.109	95.6563	06/30/2027	15,000,000.00	14,348,437.50	15,090,558.25	(742,120.75)
912810FA1	UNITED STATES TREASURY	3.483	108.4688	08/15/2027	15,000,000.00	16,270,312.50	16,892,085.52	(621,773.02)
912810FA1	UNITED STATES TREASURY	3.247	108.4688	08/15/2027	15,000,000.00	16,270,312.50	17,058,611.86	(788,299.36)
912810EZ7	UNITED STATES TREASURY	3.048	108.5000	02/15/2027	15,000,000.00	16,275,000.00	17,133,119.66	(858,119.66)
912828ZS2	UNITED STATES TREASURY	2.845	84.3438	05/31/2027	20,000,000.00	16,868,750.00	18,012,010.54	(1,143,260.54)
91282CCZ2	UNITED STATES TREASURY	0.982	87.5156	09/30/2026	20,000,000.00	17,503,125.00	19,918,480.95	(2,415,355.95)
91282CBQ3	UNITED STATES TREASURY	0.591	87.9219	02/28/2026	20,000,000.00	17,584,375.00	19,940,385.79	(2,356,010.79)
91282CER8	UNITED STATES TREASURY	2.563	96.7344	05/31/2024	20,000,000.00	19,346,875.00	19,980,857.23	(633,982.23)
91282CCJ8	UNITED STATES TREASURY	0.882	88.1563	06/30/2026	20,000,000.00	17,631,250.00	19,994,993.98	(2,363,743.98)
91282CER8	UNITED STATES TREASURY	2.502	96.7344	05/31/2024	20,000,000.00	19,346,875.00	19,999,383.34	(652,508.34)
912828T91	UNITED STATES TREASURY	0.319	97.0625	10/31/2023	20,000,000.00	19,412,500.00	20,259,449.70	(846,949.70)
91282CAM3	UNITED STATES TREASURY	0.950	88.7344	09/30/2025	25,000,000.00	22,183,593.75	24,500,644.72	(2,317,050.97)
91282CDA6	UNITED STATES TREASURY	2.185	96.0313	09/30/2023	25,000,000.00	24,007,812.50	24,568,582.13	(560,769.63)
91282CAM3	UNITED STATES TREASURY	0.815	88.7344	09/30/2025	25,000,000.00	22,183,593.75	24,596,038.67	(2,412,444.92)
91282CAB7	UNITED STATES TREASURY	0.675	89.2500	07/31/2025	25,000,000.00	22,312,500.00	24,712,505.64	(2,400,005.64)
91282CFM8	UNITED STATES TREASURY	4.387	99.4063	09/30/2027	25,000,000.00	24,851,562.50	24,712,858.18	138,704.32
91282CBC4	UNITED STATES TREASURY	0.700	88.1719	12/31/2025	25,000,000.00	22,042,968.75	24,747,079.53	(2,704,110.78)
912828XX3	UNITED STATES TREASURY	2.558	95.7813	06/30/2024	25,000,000.00	23,945,312.50	24,775,370.07	(830,057.57)
91282CFM8	UNITED STATES TREASURY	4.313	99.4063	09/30/2027	25,000,000.00	24,851,562.50	24,794,058.49	57,504.01
91282CCW9	UNITED STATES TREASURY	0.902	87.2813	08/31/2026	25,000,000.00	21,820,312.50	24,858,223.39	(3,037,910.89)
912828YV6	UNITED STATES TREASURY	1.747	94.0313	11/30/2024	25,000,000.00	23,507,812.50	24,875,584.93	(1,367,772.43)
912828ZF0	UNITED STATES TREASURY	0.647	91.1094	03/31/2025	25,000,000.00	22,777,343.75	24,912,782.26	(2,135,438.51)
91282CCW9	UNITED STATES TREASURY	0.832	87.2813	08/31/2026	25,000,000.00	21,820,312.50	24,923,703.36	(3,103,390.86)
912828ZF0	UNITED STATES TREASURY	0.619	91.1094	03/31/2025	25,000,000.00	22,777,343.75	24,928,942.46	(2,151,598.71)
91282CDB4	UNITED STATES TREASURY	0.754	92.7500	10/15/2024	25,000,000.00	23,187,500.00	24,937,949.76	(1,750,449.76)
91282CCD1	UNITED STATES TREASURY	0.551	97.4219	05/31/2023	25,000,000.00	24,355,468.75	24,938,740.50	(583,271.75)
91282CBG5	UNITED STATES TREASURY	1.088	98.9844	01/31/2023	25,000,000.00	24,746,093.75	24,940,483.44	(194,389.69)
91282CCN9	UNITED STATES TREASURY	0.384	96.6563	07/31/2023	25,000,000.00	24,164,062.50	24,951,965.80	(787,903.30)
91282CBM2	UNITED STATES TREASURY	0.219	94.3594	02/15/2024	25,000,000.00	23,589,843.75	24,969,897.50	(1,380,053.75)
91282CCX7	UNITED STATES TREASURY	0.439	92.5313	09/15/2024	25,000,000.00	23,132,812.50	24,970,136.44	(1,837,323.94)
91282CCD1	UNITED STATES TREASURY	0.330	97.4219	05/31/2023	25,000,000.00	24,355,468.75	24,970,513.47	(615,044.72)
91282CCX7	UNITED STATES TREASURY	0.438	92.5313	09/15/2024	25,000,000.00	23,132,812.50	24,970,719.18	(1,837,906.68)
91282CBX8	UNITED STATES TREASURY	0.307	97.8438	04/30/2023	25,000,000.00	24,460,937.50	24,977,553.11	(516,615.61)
91282CBU4	UNITED STATES TREASURY	0.288	98.2656	03/31/2023	25,000,000.00	24,566,406.25	24,983,290.76	(416,884.51)
91282CBD2	UNITED STATES TREASURY	0.448	99.3438	12/31/2022	25,000,000.00	24,835,937.50	24,986,779.68	(150,842.18)
91282CBD2	UNITED STATES TREASURY	0.415	99.3438	12/31/2022	25,000,000.00	24,835,937.50	24,988,118.49	(152,180.99)
91282CEF4	UNITED STATES TREASURY	2.503	92.7500	03/31/2027	25,000,000.00	23,187,500.00	24,996,553.69	(1,809,053.69)
912828ZH6	UNITED STATES TREASURY	0.266	98.1250	04/15/2023	25,000,000.00	24,531,250.00	24,998,219.53	(466,969.53)
91282CEF4	UNITED STATES TREASURY	2.502	92.7500	03/31/2027	25,000,000.00	23,187,500.00	24,998,276.85	(1,810,776.85)
91282CFN6	UNITED STATES TREASURY	4.215	99.4531	09/30/2024	25,000,000.00	24,863,281.25	25,015,874.82	(152,593.57)
91282CBT7	UNITED STATES TREASURY	0.715	88.4688	03/31/2026	25,000,000.00	22,117,187.50	25,029,373.49	(2,912,185.99)
9128284S6	UNITED STATES TREASURY	2.083	99.0000	05/31/2023	25,000,000.00	24,750,000.00	25,094,632.53	(344,632.53)
9128284S6	UNITED STATES TREASURY	2.060	99.0000	05/31/2023	25,000,000.00	24,750,000.00	25,097,952.10	(347,952.10)
9128284A5	UNITED STATES TREASURY	0.254	99.4531	02/28/2023	25,000,000.00	24,863,281.25	25,193,215.36	(329,934.11)

912810EY0	UNITED STATES TREASURY	4.205	107.6250	11/15/2026	25,000,000.00	26,906,250.00	27,106,724.70	(200,474.70)
912828W71	UNITED STATES TREASURY	2.395	96.5781	03/31/2024	30,000,000.00	28,973,437.50	29,889,154.41	(915,716.91)
91282CCJ8	UNITED STATES TREASURY	0.906	88.1563	06/30/2026	35,000,000.00	30,854,687.50	34,960,937.38	(4,106,249.88)
91282CDA6	UNITED STATES TREASURY	2.157	96.0313	09/30/2023	50,000,000.00	48,015,625.00	49,149,398.05	(1,133,773.05)
91282VB3	UNITED STATES TREASURY	2.080	98.4844	05/15/2023	50,000,000.00	49,242,187.50	49,913,155.69	(670,968.19)
912828ZU7	UNITED STATES TREASURY	0.469	97.3594	06/15/2023	50,000,000.00	48,679,687.50	49,932,390.24	(1,252,702.74)
91282CBG5	UNITED STATES TREASURY	0.506	98.9844	01/31/2023	50,000,000.00	49,492,187.50	49,952,666.04	(460,478.54)
912828ZP8	UNITED STATES TREASURY	0.293	97.6563	05/15/2023	50,000,000.00	48,828,125.00	49,955,115.36	(1,126,990.36)
91282CBG5	UNITED STATES TREASURY	0.475	98.9844	01/31/2023	50,000,000.00	49,492,187.50	49,956,594.43	(464,406.93)
91282CBN0	UNITED STATES TREASURY	0.301	98.6250	02/28/2023	50,000,000.00	49,312,500.00	49,971,364.86	(658,864.86)
91282CBR1	UNITED STATES TREASURY	0.287	94.1563	03/15/2024	50,000,000.00	47,078,125.00	49,974,796.08	(2,896,671.08)
91282CBG5	UNITED STATES TREASURY	0.259	98.9844	01/31/2023	50,000,000.00	49,492,187.50	49,983,385.70	(491,198.20)
91282CAX9	UNITED STATES TREASURY	0.318	99.6875	11/30/2022	50,000,000.00	49,843,750.00	49,992,363.06	(148,613.06)
91282CBU4	UNITED STATES TREASURY	0.159	98.2656	03/31/2023	50,000,000.00	49,132,812.50	49,993,100.57	(860,288.07)
91282CBU4	UNITED STATES TREASURY	0.147	98.2656	03/31/2023	50,000,000.00	49,132,812.50	49,995,529.48	(862,716.98)
912828TY6	UNITED STATES TREASURY	1.482	99.8906	11/15/2022	50,000,000.00	49,945,312.50	50,002,704.33	(57,391.83)
912828S92	UNITED STATES TREASURY	0.334	97.5000	07/31/2023	50,000,000.00	48,750,000.00	50,340,357.42	(1,590,357.42)
912828Z29	UNITED STATES TREASURY	0.581	99.4844	01/15/2023	100,000,000.00	99,484,375.00	100,187,988.28	(703,613.28)
---	UNITED STATES TREASURY	1.263	96.0838	06/20/2024	2,185,000,000.00	2,097,855,468.75	2,184,626,980.30	(86,771,511.55)

Summary

Cusip	Description	Yield	Market Price	Final Maturity	Par Value	Market Value	Book Value	Net Unrealized Gain/Loss
---	---	2.084	92.9665	03/04/2024	11,280,299,876.15	10,880,326,101.87	11,239,227,340.25	(358,901,238.38)



COUNTY OF RIVERSIDE
TREASURER-TAX COLLECTOR
CAPITAL MARKETS

COUNTY ADMINISTRATIVE CENTER
4080 LEMON STREET,
4TH FLOOR,
RIVERSIDE, CA 92502-2205

AGENDA ITEM 6F

WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY	
DATE:	January 18, 2023
TO:	Executive Committee
FROM:	Alicia Johnson, Senior Procurement Analyst Jose Mendoza, Procurement Manager
THROUGH:	Matthew Wallace, Deputy Director of Financial Administration
SUBJECT:	Single Signature Authority Report

STAFF RECOMMENDATION:

This item is for the Committee to recommend the Board of Directors take the following action(s):

- 1) Receive and file the Single Signature Authority report for the second quarter ended December 31, 2022.

BACKGROUND INFORMATION:

Certain contracts are executed under single signature authority as permitted in the Riverside County Transportation Commission and Western Riverside County Regional Conservation Authority Procurement Policy Manual adopted in March 2021. The Executive Director is authorized to sign contracts for supplies, equipment, materials, public projects, and services that are less than \$100,000 individually and in an aggregate amount not to exceed \$300,000 in any given fiscal year.

There are no contracts to report for the second quarter ended December 31, 2022, under the single signature authority granted to the Executive Director. The unused capacity of single signature authority for services as of December 31, 2022, is \$300,000.

Attachment: Single Signature Authority Report as of December 31, 2022

SINGLE SIGNATURE AUTHORITY
AS OF DECEMBER 31, 2022

CONTRACT #	CONSULTANT	DESCRIPTION OF SERVICES	ORIGINAL CONTRACT AMOUNT	PAID AMOUNT	REMAINING CONTRACT AMOUNT
AMOUNT AVAILABLE July 1, 2022			\$300,000.00		
No Contracts to report for second quarter					
AMOUNT USED			0.00		
AMOUNT REMAINING through December 31, 2022			\$300,000.00		

Alicia Johnson

Prepared by

Matthew Wallace

Reviewed by

Note: Shaded area represents new contracts listed in the second quarter.

AGENDA ITEM 7

WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY	
DATE:	January 18, 2023
TO:	Executive Committee
FROM:	Jennifer Fuller, Financial Administration Manager Matthew Wallace, Deputy Director of Financial Administration
THROUGH:	Aaron Gabbe, Regional Conservation Director
SUBJECT:	MSHCP Mitigation Fee Implementation Manual Update

STAFF RECOMMENDATION:

This item is for the Committee to recommend the Board of Directors take the following action(s):

- 1) Approve the update to the Multiple Species Habitat Conservation Plan (MSHCP) Mitigation Fee Implementation Manual.

BACKGROUND INFORMATION:

Origin of the Manual and Previous Updates

On December 7, 2020, the Western Riverside County Regional Conservation Authority (RCA) Board of Directors (Board) approved the 2020 Nexus Study and revised the Local Development Mitigation Fee (LDMF) Ordinance and Resolution. The Board also approved the MSHCP Mitigation Fee Implementation Manual (Manual). Subsequently, all Member Agencies adopted an updated Ordinance, Resolution, and Manual. Prior to 2020, an implementation manual for Member Agencies did not exist. RCA created the Manual as a helpful tool to assist Member Agencies with interpreting and implementing the Ordinance.

Since that time, the Manual has been updated twice, in September 2021 and February 2022. The September 2021 update was in response to several questions raised by Member Agencies as they continued to review and prepared to implement it. During 2021, RCA staff worked with Member Agencies to do a more comprehensive update to the Manual, working through questions and suggestions with Member Agency staff. This work culminated in the February 2022 Manual Update.

Working with Member Agencies

Member Agencies and the public continue to reach out to RCA staff with fee inquiries. RCA staff tracked the inquiries received during the last year and some inquiries prompted updates to the Manual to provide clarity. The suggested changes are proposed in this update to the Manual.

Recommendations

As a result of input from Member Agencies and legal counsel, RCA staff recommends the RCA Board adopt several amendments to the Manual. Recommended changes include correction of minor errors, certain references, and grammatical errors. The proposed updated Manual addresses the following items to provide clarity and instruction to Member Agencies:

- Separation of Member Agency Infrastructure projects into road and linear projects;
- Definition of Second Unit; and
- Public transit facilities built by transportation agencies.

Redline and clean versions of the proposed updated Manual are included as attachments to this staff report.

FISCAL IMPACT:

There is no fiscal impact from the Manual update, as the update provides clarity to Member Agencies but does not change how the LDMF is calculated.

Attachments:

- 1) MSHCP Mitigation Fee Implementation Manual - Redline
- 2) MSHCP Mitigation Fee Implementation Manual - Clean



MSHCP Mitigation Fee Implementation Manual

February 2023~~2~~



RCA's MSHCP MITIGATION FEE IMPLEMENTATION MANUAL

The Western Riverside County Regional Conservation Authority ("RCA") was formed in 2004 to achieve one of America's most ambitious environmental efforts, the Western Riverside County Multiple Species Habitat Conservation Plan ("MSHCP" or the "Plan"). As the nation's largest habitat conservation plan of its kind, the MSHCP strengthens the sustainability and quality of life in western Riverside County by nurturing economic development opportunities, alleviating traffic congestion, protecting natural resources, and improving air quality.

This MSHCP Mitigation Fee Implementation Manual ("Manual") provides direction to local jurisdictions under the MSHCP concerning their obligations under the MSHCP and Permits regarding the imposition, collection, accounting, remittance, and calculation of the Local Development Mitigation Fee. The Local Development Mitigation Fee Program is administered by the RCA. The instructions in this Manual are intended to be consistent with and based on the MSHCP, the Implementing Agreement (IA), and the 2020 Nexus Study. The Manual is also intended to provide direction to Member Agencies concerning their Fee Ordinances and any related Resolutions. For questions and clarifications, please contact the RCA.

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CHAPTER I. INTRODUCTION

A. Background on MSHCP and Implementing Agreement

The MSHCP, which became effective on June 22, 2004, when the federal incidental take permit was issued, is a comprehensive, multi-jurisdictional Habitat Conservation Plan (HCP) focusing on the permanent conservation of approximately 500,000 acres and the protection of 146 species, including 33 that are currently listed as threatened or endangered. The MSHCP was developed in response to the need for future growth opportunities in western Riverside County while addressing the requirements of the State and federal Endangered Species Acts. The MSHCP serves as an HCP pursuant to Section 10(a)(1)(B) of the federal Endangered Species Act of 1973 as well as a Natural Communities Conservation Plan (NCCP) under the NCCP Act of 2001. The MSHCP streamlines these environmental permitting processes by allowing the participating jurisdictions to authorize “take” of plant and wildlife species identified within the Plan Area and has saved taxpayers funds by expediting the construction of more than 30 major freeway and road improvements in Riverside County valued at more than \$5 billion. At the same time, Plan implementation provides a coordinated MSHCP Conservation Area and implementation program to preserve biological diversity and maintain the region’s quality of life.

The MSHCP, the associated Implementing Agreement (“IA”) (See Chapter VIII, Appendices for pages from the IA), and Incidental Take Permit collectively determine a set of conservation actions that must be taken to meet the terms of the Incidental Take Permit in order to continue to benefit from the regulatory streamlining and other benefits of the MSHCP. This includes the identification of the responsible parties, including the responsibilities of the Local Permittees.¹ One of the key requirements of the MSHCP, IA, and Incidental Take Permit (consistent with the requirements of the federal Endangered Species Act) is the provision of adequate funding by Local Permittees to the Implementing Entity (the Western Riverside County Regional Conservation Authority²) (“RCA”) to conduct their portion of the conservation actions identified in the MSHCP.

B. Purpose of MSHCP and Local Development Mitigation Fee

The purpose of the Local Development Mitigation Fee (“LDMF”) is to contribute to the funding required to implement the MSHCP and, as a result, help maintain the Incidental Take Permit for new private and public development in western Riverside County under

¹Local Permittees include the western Riverside County Cities, the County of Riverside (County), Riverside County Flood Control and Water Conservation District ([Riverside County Flood Control District](#)), Riverside County Regional Park and Open-Space District, Riverside County Department of Waste Resources, and Riverside County Transportation Commission (RCTC).

²The Western Riverside County Regional Conservation Authority is a joint powers authority established in 2004 to implement the MSHCP.

the federal and State of California (State) Endangered Species Acts. Maintaining the Incidental Take Permit is necessary to allow for future development, and without the development community paying for the cost of the MSHCP, individual applicants would need to apply independently for development approval under federal and State law if the project impacts a threatened or endangered species. The Federal Endangered Species Act specifically requires that the applicant for Incidental Take Permit “ensure that adequate funding for the [MSHCP] will be provided.”³ ~~In addition, the LDMF helps provide the regional benefits of streamlined economic development in western Riverside County as well as the provision and the protection of contiguous open spaces that will serve as a community amenity to residents, workers, and visitors.~~

New development in the MSHCP Area will directly, indirectly, or cumulatively affect species and habitat in western Riverside County. Because of this, the County of Riverside along with several other agencies prepared and adopted the MSHCP to provide a regional, streamlined approach to benefit future development of all types in western Riverside County, including the development and improvements envisioned under the numerous General Plans and the Regional Transportation Improvement Program. The requirements of the MSHCP (habitat acquisition, management and monitoring, and program administration) are a direct result of the regional approach to mitigation that is engendered by all new development in the Plan Area under the pertinent environmental regulations. Consequently, the LDMF applies to all new development in western Riverside County whether or not the development is within a Criteria Cell.

The overall permit period was set at 75 years, ending in 2079. To cover ongoing management and monitoring costs beyond the duration when mitigation fees will be collected, the establishment of a non-depleting endowment is required. In other words, the endowment must be sufficient such that expected average interest revenues (after inflation and transaction costs) can cover the ongoing costs associated with management and monitoring in perpetuity. The endowment must be fully established by the end of the land acquisition period as it is assumed that no more mitigation fees will be collected after that time.

Finally, the LDMF is required by the MSHCP (MSHCP § 8.5.1) and the IA (IA §13.2(A)). Also, to be eligible for Measure A western County local streets and roads funds, Member Agencies are required to participate in the MSHCP. This is a requirement of the Measure A Ordinance adopted by Riverside County voters in November 2002. Annually, RCA certifies Member Agency compliance to RCTC.

C. Public Projects

A number of Public Projects also pay fees related to the MSHCP in order to mitigate the impact of public projects in accordance with the terms of the IA. These different types of

³See Section 1539(a)(2)(B)(iii) of the Federal Endangered Species Act.

Public Projects and the fees related to them are discussed more in the later chapters of this Manual.

D. RCA Administration of Fee Program

Section 2 of the Member Agencies' Fee Ordinance provides that the RCA is appointed as the Administrator of the Fee Ordinance. The RCA is authorized to receive all fees generated from the LDMF within the Cities or County, and to invest, account for, and expend such fees in accordance with the provisions of the Plan, IA, and Fee Ordinances. The RCA's Executive Director or his/her designee is authorized to act on behalf of the RCA as the Administrator of the LDMF Program. Furthermore, the RCA shall have the final determination regarding collection of the fee, the appropriate methodology to calculate the fee based on the information provided, and the interpretation of this Manual.

E. Purpose of Implementation Manual

The purpose of this Manual is to provide those jurisdictions and agencies that are participants in the MSHCP and IA with direction and policies for implementation of the LDMF Ordinance and Resolution adopted by each of the member jurisdictions. The Manual specifies implementation and responsibilities for the LDMF Ordinance and Resolution. The instructions in this Manual shall control the administration of the LDMF except where directly in conflict with the adopting Ordinance. Capitalized terms in this Manual shall have the same meaning as in the adopting Ordinance.

The RCA may, from time to time, amend this Manual as necessary to add additional direction, clarification, or guidance regarding implementation of the LDMF Ordinance.

CHAPTER II. LOCAL JURISDICTION INSTRUCTIONS

A. Legal Authority

The MSHCP notes that “new development affects the environment directly through construction activity and cumulatively through population bases that result from Development.” As a result, the Member Agencies are required to implement a LDMF that was expected to represent one of the primary sources of funding for the implementation of the MSHCP. The LDMF has been developed in accordance with California Government Code Section 66000 et seq. (the “Mitigation Fee Act”) that “allows cities and counties to charge new development for the costs of mitigating the impacts of new development.” Fees charged to Public Projects have been imposed pursuant to the IA.

The 2020 Nexus Study Chapter 8 (pages 56-59) discusses the legally required findings on the relationship between the fee and development. The relationship is more than simply disturbance of habitat; it is the regional impacts on habitat from development. The 2020 Nexus Study notes that new development in the Plan Area will directly, indirectly, or cumulatively affect species and habitat in western Riverside County. Expanding a home so more people can live there or more activities can take place or adding an Accessory Dwelling Unit (ADU) or Second Unit creates cumulative regional impacts; the MSHCP mitigates these impacts and streamlines the process for the infrastructure and development to accommodate the resulting growth.

B. Member Agency Obligations under MSHCP and Implementation Agreements

As set forth in Section 11.1 of the IA, the Member Agencies and the RCA have selected legal mechanisms to ensure implementation of the terms of the MSHCP and the IA.

1. Enactment of Fee Ordinance and Resolution

- a. Pursuant to Sections 11.1.1 and 11.1.2 of the IA, the Member Agencies shall adopt an Ordinance imposing the LDMF in substantially the form proposed by the RCA and the related Resolution within 90 days’ notice from the RCA. The Member Agencies shall also adopt any updated Fee Ordinance or Resolution within 90 days’ notice from the RCA.

2. Imposition of Fee

- a. The LDMF will be paid no later than at the issuance of a building permit. Notwithstanding any other provision of the Municipal or County Ordinance, as relevant, no building permit shall be issued for any Development Project unless the LDMF applicable to such Development Project has been paid. In a case where a building permit is not required, the LDMF shall be collected no later than the issuance of a grading

permit. The amount of the Fee shall be calculated in accordance with this Manual.

- b. Member Agencies may accept prepayment of fees at their own discretion (and allowed by Ordinance) for applicants wishing to pay the current fee in effect at the time of payment.
- c. In lieu of the payment of the LDMF as provided above, the Fee for a Development may be paid through a Community Facilities District, provided that such arrangement is approved by the RCA in writing.

3. Remittance of Fees to the RCA

- a. Timing. Pursuant to Section 8.5 of the MSHCP, Sections 12.2.1 and 12.2.2 of the IA, and Sections 19.A and 19.B of the Joint Exercise of Powers Agreement (JPA), the Member Agencies shall remit all LDMFs which are collected or should have been collected for any Development, as defined in the MSHCP, and contributions for Public Projects to the RCA on a monthly basis. Payment to the RCA shall be made no later than 90 days after the LDMFs were collected or should have been collected. -Payment to the RCA shall be made no later than 90 days after the construction contract for the Public Project is approved by the Member Agency.
- b. Documentation and Records Requirements. The Member Agencies shall maintain complete and accurate records with respect to all LDMF revenues collected under their LDMF Ordinances and the calculation of contributions for all Public Projects. All such records shall be complete and allow for recalculation and validation.
- c. Annual Audits. The Member Agencies shall allow a representative of the RCA during normal business hours to examine, audit, and make transcripts or copies of such records.

4. Imposition of CPI increases and other Fee Adjustments

- a. Automatic Annual Fee Adjustment. The RCA will provide the Member Agencies with an automatic annual fee adjustment for the fee established by Resolution based on the average percentage change over the previous calendar year set forth in the Consumer Price Index for the Riverside-San Bernardino-Ontario metropolitan area or a replacement CPI index issued by the federal government. The Member Agencies shall ~~adopt a resolution~~ implementing the fee

adjustment no later than July 1st or 60 days after receiving notice from the RCA, whichever is later. All LDMF fees collected after a fee increase will pay the new fee even if an invoice was created prior to the fee increase.

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- b. Periodic Fee Adjustment. The fee schedule may be periodically reviewed, and the amounts adjusted by the RCA Board of Directors. By amendment to the fee Resolution referenced in the Fee Ordinance, the fees may be increased or decreased to reflect the changes in actual and estimated costs of the MSHCP including, but not limited to, management and monitoring, endowment, and acquisition costs. The adjustment of the fees may also reflect changes in the facilities required to be acquired, in estimated revenues received pursuant to the Fee Ordinances, as well as the availability or lack thereof of other funds with which to implement the MSHCP. The Member Agencies shall adopt a resolution implementing the fee adjustment no later than 60 days after receiving notice from the RCA.

C. Fee Credits and Fee Credit Agreements

1. Fee Credits

When a Member Agency determines that a request for a fee credit ("Fee Credit") is appropriate for on-site conservation which meets the standards in Section 2 below, the Member Agency shall notify the RCA's Executive Director ("Executive Director") in writing as part of the Joint Project Review ("JPR") Application. This notification shall include all relevant documentation related to the project, including project description, map, criteria cells, and designation of land proposed for conservation.

Fee Credits shall be applied only to the Project they are associated with in the JPR. Fee Credits shall only be provided to the underlying property owner or development company at the time the LDMF applies and are not transferrable to other entities, individuals, or development projects. Fee Credits shall not be applied retroactively. Fee Credits shall not be granted for on-site conservation that would not be considered developable land in the absence of the MSHCP. Some examples of such undevelopable land include that which could not be developed under the California Environmental Quality Act, land with topography consisting of 50 percent or greater slopes, land that is in a flood way, or land that could not be developed due to other local ordinance restrictions. In cases where both developable and undevelopable land are included in on-site conservation, only that land that is developable in the absence of the MSHCP shall be considered for Fee Credit.

2. Standards. Fee credits shall meet the following standards:

- a. Proposed conservation land must be within Criteria Cells and contribute to Reserve Assembly;

- b. Conservation land must be of a size, configuration, and location such that it can be managed as part of the MSHCP Conservation Area;
 - c. In addition to the exclusions identified in Section 1 above, fuel modification/hazardous vegetation areas, manufactured slopes, storm drain or detention basin outfalls, constructed slope protection, utility easement areas, and Best Management Practices such as bioswales, infiltration trenches, and basins will be excluded from Fee Credits and will not be accepted for management by the RCA.
- 3. **Appraisal**
 - a. The RCA or Member Agency will obtain an appraisal for the property being offered in exchange for the Fee Credit. The cost of the appraisal will be borne by the entity that commissions the appraisal.
 - b. The appraisal shall be prepared by a licensed appraiser and meet the standards in Section 6.1.1 of the MSHCP. The property owner may select the appraiser from an approved list of appraisers used by the RCA.
- 4. **Decision**
 - a. Member Agency – Approval Authority up to \$200,000. A Member Agency may approve Fee Credits up to \$200,000. The RCA will assist the Member Agency in making a determination on the Fee Credits if requested. Notwithstanding the above, the RCA is authorized to review and audit a Member Agency's approval of Fee Credits hereunder. In the event of a disagreement between RCA and a Member Agency regarding Fee Credits provided under this Section 4.a., the matter shall be referred to the RCA Board of Directors for consideration and further action.
 - b. Board of Directors – Approval Authority Over \$200,000. All Fee Credits over \$200,000 require approval of the RCA Board of Directors. The Executive Director shall place the Fee Credit request on the agenda for the next regularly scheduled meeting of the RCA Board of Directors for which an agenda has not been posted.
- 5. **Reporting** The Member Agency will provide the RCA with a copy of all Fee Credit agreements within 30 days of execution. The Executive Director shall provide monthly reports to the RCA Board of Directors of all notifications concerning Fee Credits.

6. **Conveyance of Conservation Land.** Conservation land associated with approved Fee Credits shall be conveyed in fee title to the RCA or another entity or organization lawfully authorized to acquire and hold conservation easements pursuant to Civil Code Section 815.3. The conservation land shall be free of encumbrances that could adversely impact the ability to manage the conservation land in accordance with the MSHCP. Conveyance of the conserved land must occur prior to the point in time when MSHCP Fee payment is due for the Project, and the Member Agency shall not issue occupancy permits for the Project until such time as the conservation land has been conveyed and any Fee balance has been paid to the RCA. If a non-member agency holds title to the land, the entity must enter into a Management Memorandum of Understanding with the RCA agreeing to manage the land in accordance with the MSHCP prior to issuance of a grading permit for the Project.

D. Fee Exemptions

The following types of construction shall be exempt from the LDMF:

1. Reconstruction or improvements to an existing Development Project, that were damaged or destroyed by fire or other natural causes, provided that the reconstruction or improvements do not result in additional Usable Square Footage (for residential, see Chapter III, Section B.1.b.Type IV).
2. Rehabilitation or remodeling to an existing Development Project, provided that the rehabilitation or remodeling does not result in additional Usable Square Footage (for residential, see Chapter III, Section B.1.b.Type IV).
3. Accessory Dwelling Units, but only to the extent such fee is exempted under state law (California Government Code section 65852(f)(3). (see Chapter III, Section B.1.b.Type III).
4. Junior Accessory Dwelling Units, but only to the extent such fee is exempted under state law (California Government Code section 65852.22. (see Chapter III, Section B.1.b.Type III).
5. Existing structures where the use is changed from an existing permitted use to a different permitted use, provided that no additional improvements are constructed and does not result in additional Usable Square Footage.
6. Certain Agricultural Operations as allowed by the MSHCP, as amended. (see Chapter VI, Section B.)

7. Vesting Tentative Tract Maps entered into pursuant to Government Code section 66452 et seq. (also, Government Code section 66498.1 et seq.) and Development Projects which are the subject of a development agreement entered into pursuant to Government Code section 65864 et seq., prior to the effective date of a Member Agency's original LDMF Ordinance, wherein the imposition of new fees are expressly prohibited, provided that if the term of such a vesting map or development agreement is extended by amendment or by any other manner after the effective date of the Member Agency's original LDMF Ordinance, the Fee shall be imposed.

Except as exempted above, all projects are required to make a mitigation payment/contribution and where no mitigation payment process is specified, the project will pay the updated per acre mitigation fee.

E. Project Area

As defined in the Fee Ordinance, the "Project Area" means the total area, measured in acres, within the Development Project including, without limitation, any areas to be developed as a condition of the Development Project (e.g., fuel modification areas and temporary impacts (excluding staging areas)). The Project Area shall be calculated in accordance with the following guidelines:

1. The Project Area shall be determined by the Member Agency staff based on the subdivision map, plot plan, and other information submitted to or required by the Member Agency.
2. An applicant may elect, at his or her own expense, to have a Project Area dimensioned, calculated, and certified by a registered civil engineer or licensed land surveyor. The engineer or land surveyor shall prepare a wet-stamped letter of certification of the Project Area dimensions and a plot plan exhibit thereto that clearly delineates the Project Area. Upon receipt of the letter of certification and plot plan exhibit, the Member Agency shall review and, if approved, will calculate the LDMF required to be paid based on the certified Project Area.
3. Where construction or other improvements on Project Area are prohibited due to legal restrictions on the Project Area, such as Federal Emergency Management Agency designated floodways or areas legally required to remain in their natural state, that portion of the Project Area so restricted shall be excluded for the purpose of calculating the LDMF.

F. Developer Refunds and Appeals

Under certain circumstances, such as double payment, expiration of a building permit, or fee miscalculation due to clerical error, an applicant may be entitled to a refund. Refunds

will be reimbursed by the end of the fiscal year on a first come, first served basis, depending upon the net revenue stream. Refunds will only be considered reimbursable if requested within three (3) years of the original LDMF payment. In all cases, the applicant must promptly submit a refund request with proof of LDMF payment to the RCA if the RCA collected the LDMF, or if collected by a local jurisdiction, the refund request shall be submitted to that local jurisdiction, which will subsequently forward the request to the RCA for verification, review, and possible action.

1. **Expiration of Building Permits.** If a building permit should expire, be revoked, or is voluntarily surrendered and is, therefore voided and no construction or improvement of land has commenced, then the applicant may be entitled to a refund of the LDMF collected which was paid as a condition of approval, less administration costs. Any refund must be requested within three (3) years of the original payment. The applicant shall pay the current LDMF in effect at the time in full if s/he reapplies for the permit.
2. **Double Payments.** On occasion due to a clerical error, a developer has paid all or a portion of the required LDMF for a project twice. In such cases, a refund of the double payment may be required if the request is made within three (3) years of the original payment.
3. **Balance Due.** When the LDMF is incorrectly calculated due to a Member Agency's clerical error, it is the Member Agency's responsibility to remit the balance due to the RCA. The error must be discovered within three (3) years of the original payment for the Member Agency to be held accountable. The amount due can be remitted through alternate methods agreed to by the RCA Executive Committee. If first approved through RCA staff in writing, the calculation is not subject to additional review.

G. Options for Administrative Add-On Costs to Fees

In the Fee Resolution mentioned in the Fee Ordinance, the Member Agencies are permitted to add an additional cost to the LDMF schedule to cover the Member Agency's costs of imposing, administering, collecting, and remitting the fees. The Member Agencies may not recover the costs of administering the provisions of their LDMF Ordinance using the LDMF revenues generated by them through said Ordinance.

H. Public Project Fees

Public Projects can be divided into four project types: road projects, linear projects (collectively referred to as infrastructure projects), civic projects, and Riverside County Flood Control District Projects.

1. **City/County Road ~~Projects~~ways.** The Member Agencies shall contribute five (5) percent of the facility construction costs for

City/County roads for impacts related to City/County roadways to the RCA as set forth herein.

- a. The five (5) percent contribution shall apply to the construction of new roads, the widening of existing roads, or other improvements which increase roadway throughput.
- b. Maintenance projects, as defined herein (see Chapter 7, definitions), are exempt from the five (5) percent contribution.
- c. The five (5) percent does not apply to:
 - i. Projects, or portions thereof, paid for by the existing Measure A (contribution already paid directly by RCTC); and
 - ii. Projects, or portions thereof, paid for by TUMF (contribution already paid directly by the Western Riverside Council of Governments (WRCOG)).
- d. The Member Agency will include the payment of MSHCP fees within its grant applications to the Federal Highway Administration.
- e. Only contributions for the Caltrans-funded portion of a Caltrans highway project shall be exempted from the Public Project fee. Caltrans contributions are covered pursuant to MSHCP section 8.4.4 (pages 8-11 & 8-12).

2. City/County Linear Projects (Infrastructure). The Member Agencies shall contribute five (5) percent of the facility construction costs for City/County linear infrastructure projects for impacts related to the project. Linear projects are treated the same as road projects. (See Chapter 2, Section H.1. above).

2.3. City/County Civic Projects. The Member Agency will contribute a per acre mitigation fee based upon the current commercial/industrial fee for these types of facilities.

3.4. Riverside County Flood Control District Projects. Riverside County Flood Control District will contribute mitigation through payment of three (3) percent of total capital costs for a Covered Activity. Such payment may be offset through acquisition of replacement habitat or creation of new habitat for the benefit of Covered Species, as appropriate. Such mitigation shall be implemented prior to impacts to Covered Species and their habitats.

I. Audit

Pursuant to the JPA, the Member Agencies shall maintain complete and accurate records with respect to all LDMFs collected under their LDMF Ordinance and the calculation of contributions for all Public Projects. All such records shall be complete and allow for recalculation and validation. The Member Agencies shall allow a representative of the RCA during normal business hours to examine, audit, and make transcripts or copies of such records.

J. Late Payments

Starting January 1, 2008, if a Member Agency fails to remit the monthly payment within 90 days as required in Section [B.3.a](#) above, any delinquent amounts will be assessed interest at the rate of the RCA's prevailing rate for invested funds. RCA invests with the Riverside County Treasurer Tax Collector. Therefore, RCA's prevailing rate is the County Treasurer's Pooled Investment Fund Book Yield.

K. No Effect on Withdrawal

The obligations imposed under this Manual on the Member Agencies shall not affect any more strict obligation imposed on each of them under Section 22.1 of the IA pertaining to withdrawal from the MSHCP.

CHAPTER III. MITIGATION PAYMENT REQUIREMENTS

New private, public, and other development activity in western Riverside County must comply with the MSHCP, IA, Ordinances, and Resolutions and make the appropriate mitigation payment in order to obtain grading permits and/or building permits. This Chapter describes the mitigation payment mechanisms and formulas that apply to different types of projects. It first defines three broad project categories and then provides more detail on the different mitigation payment calculations that apply to different types of projects under these broad categories. The subsequent **Chapter IV** provides illustrative fee calculations for Private and Public Project examples to clarify the appropriate calculation of mitigation payments.⁴ RCA staff is available to answer questions ~~if there are questions~~ about mitigation payment requirements for a specific project.

A. General Project Categories

All projects fall into one of three (3) general categories as described below. Local Permittees should first determine which general category any project falls under.

1. Private Projects

Private Projects include projects where the primary project purpose is for use by households, businesses, or other private entities (i.e. not accessible to the public except where allowed by a private owner/renter). These projects include homes, apartments, offices, industrial buildings, and retail stores, among others. This category also includes Private Projects that receive public support (e.g., support through direct public investments in infrastructure, ground leases of publicly owned land, or direct investment of public dollars in projects such as affordable housing).

Private Projects often require the development of public infrastructure, improvements, and amenities (e.g., streets, parks, and community buildings) by the project developer. In these cases, the Private Project developer will be responsible for making payments for the private and public components of the project. As discussed in more detail in subsequent sections, the mitigation fee payment calculation for privately developed public infrastructure, improvements, and amenities depends on the type of project (residential versus non-residential) and the nature and role of the improvements (whether they solely serve project residents or serve a broader community).

2. Public Projects

Public Projects include projects whose primary goal is to provide publicly accessible/useable infrastructure, improvements, or other amenities. Public Projects include a broad range of project types including transportation, flood control, water,

⁴All projects are required to make mitigation payments, except where specifically exempted in the Fee Ordinance.

wastewater, stormwater, parks, community centers, and other public buildings, among others.

Some Public Projects will involve the private sector. Private sector involvement could be through design, construction, operation, and/or funding. For mitigation purposes, these projects are considered Public Projects and are treated the same from a mitigation fee perspective.⁵

3. Participating Special Entities (PSE) Projects

Some types of projects can obtain the MSHCP benefit granting Take Authorization by participating as Participating Special Entities ("PSE's"). This is a third project category and its mitigation payment requirements are described separately, though in many ways PSE projects are treated similarly to Public Projects.

B. Private Projects

This section categorizes the different types of Private Projects and the associated mitigation payment requirements. Private project mitigation payments are determined by the MSHCP LDMF for the current fiscal year and project characteristics. Chapter IV provides illustrative examples of different types of Private Projects to further clarify and support the calculation of the appropriate mitigation payment.

1. Private Project Types

Private Projects are further distinguished into three (3) types (along with some sub-types). In all cases, mitigation occurs through mitigation fee payment, though as described further below the mitigation fee type and calculation varies for these different types.

a. Non-Residential

The non-residential category of Private Projects encompasses the full and broad range of Private Projects that do not incorporate residential development. Uses include all commercial, industrial, and any other private non-residential projects.

b. Residential

The residential category of Private Projects covers the full range of residential development projects, including, but not limited to, residential subdivisions, apartment complexes, infill residential projects, affordable housing projects, single homesite developments, mobile homes, ADUs, and additions and renovations. Residential units do not include hotels, motels, congregate care residential facilities or individual spaces within

⁵As described above under Private Projects and explained in more detail later below, when public infrastructure/improvements/amenities are part of a Private Project, the mitigation for the public part of the Private Project is incorporated into the Private Project mitigation requirement.

recreational vehicle parks. Mixed-use Private Projects (projects that combine residential and commercial/industrial uses) are addressed distinctly, as described below.

Because of the variation in the type and extent of public infrastructure, improvements, and amenities developed as part of private residential projects, distinctions between different types of residential projects are required. Distinctions are also required as State law limits and specifies the application of mitigation fees to ADUs.

- **Type I. Residential Development with Resident-Serving Public Improvements Only.** Residential projects whose public infrastructure, improvements, and amenities only serve project residents (e.g., in-tract roads, resident clubhouses, pocket parks, and parking for project resident/guest use) and do not provide broader community access or benefits.
- **Type II. Residential Development with Community-Serving Public Improvements.** Residential projects that include the development of public infrastructure, improvements, and amenities that serve more than project residents alone; e.g., backbone infrastructure such as roads that serve beyond the project residents or parks and amenities that serve more than just the new residential units.
- **Type III. Accessory Dwelling Units or Second Units.** State law restricts the imposition of mitigation fees on ADUs of less than 750 square feet and provides a formula for ADUs above this size. ADUs are considered a separate dwelling unit even if built within the existing dwelling unit. ADUs built at the time a tract is first built do not add to the number of units for the density calculation. Both the main home and the ADU have their own separate fee. At the time this manual was adopted, Government Code 65852.2(f)(3)(A) governed the fee for ADUs. Any amendments to this code shall therefore amend the methodology for calculating the LDMF on ADUs.
- **Type IV. Additions and Renovations.** The LDMF fee shall be paid for residential additions and renovations that add attached or detached Usable Square Footage beyond what currently exists on the property, if the LDMF was not previously paid on the property. The LDMF will be calculated by applying the same methodology used for Type III ADUs. If the LDMF fee was previously paid on the residential property, no additional fees are required for additions or renovations to the primary dwelling unit even if additional Usable Square Footage is added.

c. Mixed-Use Projects

The mixed-use category of Private Projects encompasses projects that include private residential and private non-residential uses. The mixed-use project category is divided into two types because of the two distinct mixed-use project forms – horizontally mixed-use and vertically mixed-use.

- **Type I. Horizontally Mixed-Use Projects.** Mixed-use projects where a distinct portion of the project land area is developed as residential and a distinct portion as non-residential. For example, a project that includes a residential subdivision and neighborhood shopping center.
- **Type II. Vertically Mixed-Use Projects.** Mixed-use projects where one or more land use is developed vertically above another. For example, a project where apartment units are developed above ground floor retail.

2. Private Project Mitigation Fee Schedule

The 2020 Nexus Study developed a consistent per gross acre mitigation fee. For residential projects, this per gross acre fee was then translated into per residential unit fees for three different residential development density categories (to allow for a continuation of the existing fee structure). The mitigation fee schedule is shown in Table 3-1 and includes the mitigation fees provided under the 2020 Nexus Study (actual fee levels will vary with fee phase-in and annual adjustments).

Table 3-1: Updated Fee Levels (effective January 1, 2022)

Development Type		Fee
Residential Development		
Low Density	(fewer less than or equal to 8.0 units per Gross Residential Project Acre)	\$3,635 per Unit
Medium Density	(between 8.0 and 14.0 units per Gross Residential Project Acre)	\$1,515 per Unit
High Density	(more than 14.0 units per Gross Residential Project Acre)	\$670 per Unit
Non-Residential Development		
Commercial/Industrial/Non-Residential Mitigation Fee ¹		\$16,358 per Gross Project Acre

[1] The per gross acre also applies to the public components to private projects and to certain types of public and PSE Projects.

Private Project Mitigation Fee Calculations by Project Type

The table below shows the mitigation payment approach for residential projects.

Table 3-2: Mitigation Payment Approach for Residential Projects

PRIVATE PROJECT MITIGATION PAYMENT APPROACH - RESIDENTIAL

MITIGATION PAYMENT FORMULA FOR DIFFERENT TYPES OF RESIDENTIAL PROJECTS *

Residential Developments - Type I

Residential Development with Resident-Serving Public Improvements Only

Fee Calculation:

Fee Payment = Number of Residential Units x Per Unit Mitigation Fee for Appropriate Density Category

Notes:

1. Density Category = Total Number of Residential Units/Gross Residential Project Acres
2. Type I Residential Development cannot include any public improvements that serve beyond the project residents (i.e. only resident-serving public improvements; not "community-serving" public improvements)

Residential Developments - Type II

Residential Development with Community-Serving Public Improvements

Fee Calculation:

Fee Payment = Number of Residential Units x Per Unit Mitigation Fee for Appropriate Density Category
plus Gross Acres of community-serving Public Improvements x Per Gross Acre Fee

Notes:

1. Density Category = Total Number of Residential Units/Gross Residential Project Acres
2. Type II Residential Development includes "Community-serving" Public Improvements that serve beyond the project residents and are not covered by the per residential unit mitigation fee
3. Gross Project Acres = Gross Residential Project Acres + Gross Community-Serving Public Improvement Acres

Residential Developments - Type III & IV

Development of an Accessory Dwelling Unit (ADU) or Additions/Renovations

Fee Calculation:

Fee Payment for ADUs or Additions/Renovations of less than 750 square feet
= \$0

Fee Payment for ADUs or Additions/Renovations of 750 or more square feet
= Per Unit Mitigation Fee for Appropriate Density Category x (ADU or Addition/Renovation square feet/Primary Dwelling Unit (Current) square feet)

Notes:

1. California Government Code Section 65852.2(f)(3)(A) (as of September 13, 2021) provides the basis for calculating fees on ADUs. Jurisdictions should monitor any amendments to this state code or other state laws that govern fees on ADUs.
2. The above code section does not allow charging of mitigation fees to ADUs of less than 750 square feet
3. The above code section provides the formula for calculating fee payments by larger ADUs
4. Density Category = Total Lot Square Footage/1 acre.
5. Fees Previously Paid - If the LDMF fee was previously paid on the residential property, no additional fees are required for additions or renovations to the primary dwelling unit even if additional square footage is added.
6. Fees Not Previously Paid - The LDMF shall be paid for residential additions or renovations if the LDMF was not previously paid on that property. The fee is calculated using the state code for ADUs.

* The term "Public Improvements" is used as a collective term for all Public Infrastructure, Improvement, and Amenities.

The table below shows the approach for non-residential projects and mixed-use projects.

Table 3-3: Mitigation Payment Approach for Non-Residential and Mixed-Use Projects

MITIGATION PAYMENT FORMULA FOR NON-RESIDENTIAL AND MIXED USE PROJECTS *

Non Residential Projects

All Non-Residential Projects

Fee Calculation:

Fee Payment = Gross Project Acres x Per Gross Acre Fee

Notes:

1. Gross Project Acres include all project acres including non-residential development areas and all associated project acreage (i.e. including all parking, landscaping, public improvements etc.)
-

Mixed-Use Project - Type I

Horizontally mixed-use project with residential and non-residential private development

Fee Calculation:

Fee Payment = Number of Residential Units x Per Unit Mitigation Fee for Appropriate Density Category

plus Gross Acres of Community-serving Public Improvements x Per Gross Acre Fee

plus Gross Acres of Non-Residential Development x Per Gross Acre Fee

Notes:

1. Density Category = Total Number of Residential Units/Gross Residential Project Acres
 2. All gross project acres outside of the Gross Residential Project Acres contribute through the per gross acre fee
-

Mixed-Use Project - Type II

Vertically mixed-use project with residential and non-residential private development

Fee Payment is the higher of two (2) calculations:

Calculation 1: Fee Payment = Gross Project Acres x Per Gross Acre Fee

Calculation 2:

Fee Payment = Number of Residential Units x Per Unit Mitigation Fee for Appropriate Density Category

plus Gross Acres of Community-serving Public Improvements x Per Gross Acre Fee

Notes:

1. Density Category = Total Number of Residential Units/Gross Project Residential Acres
(Gross Residential Acres = Gross Project Acres minus Community-serving Public Improvements Acres)
-

* The term "Public Improvements" is used as a collective term for all Public Infrastructure, Improvement, and Amenities.

Key definitions associated with the above mitigation formula table include:

- **Gross Project Area/Acres.** This is the total or gross acres of the project. This overall acreage can only be reduced under unique circumstances.⁶
- **Gross Residential Area/Acres.** This is the total area of the project dedicated to residential land uses and includes residential buildings as well as “Project Resident-Serving” Infrastructure/Improvements/Amenities.
- **Project Resident-Serving Infrastructure/Improvements/Amenities.** Infrastructure/improvements, and amenities that only serve project residents and include, but are not limited to, roads, parks, and non-residential buildings that only serve project residents.
- **Gross “Community-Serving” Area/Acres.** This is the area of residential projects that provide infrastructure, improvements, and amenities that go beyond only serving project residents and hence are “community-serving”. This includes, but is not limited to, roads that serve multiple projects, parks that serve more than one residential project, parking that serves other uses/developments etc. The acreage associated with these improvements/amenities are part of the gross project acreage but distinct from project resident-serving improvements/amenities and the gross residential area.

For further clarification, mitigation fee payment calculations for illustrative Private Projects are provided in **Chapter IV**.

C. Public Projects

This section categorizes the different types of Public Projects and the associated mitigation payment requirements. The MSHCP, IA, and other documents established the mitigation system for Public Projects that includes a mix of approaches typically tied to a percent of capital cost or the adopted per gross acre mitigation fee for non-residential uses. The mitigation payments for road projects are more complex as certain funding sources (Measure A and TUMF) provide direct mitigation payments for the portions of transportation projects they fund. **Chapter IV** provides illustrative examples of selected Public Projects to further clarify and support the calculation of the appropriate mitigation payment.

1. Public Project Types

Public Projects include the full range of projects that provide public infrastructure, improvements, or amenities. This includes, but is not limited to, public roads, parks, libraries, administrative facilities, jails, courts, and flood control projects among others. As

⁶Specifically, the MSHCP exempts flood control areas that cannot be developed from mitigation fee calculations. (See Chapter II.E.3 of this manual).

described in the following section, certain public/quasi-public improvements are covered as PSE projects (the third major project category type). These include public (and private) utility districts/companies, School Districts, Special Districts, and other quasi-public entities.

Per the MSHCP, IA, and other documents, the mitigation payment requirement/obligation varies between the following Public Project types.

- **City/County Road Projects.** Includes all City and County road projects.
- **City/County Linear Projects (Infrastructure).** Includes all City and County infrastructure projects (excluding roads). These projects are more linear in design and include such projects as water and wastewater, electricity, gas, sewer, etc. Riverside County Flood Control District Projects are a separate Public Project type as defined below.
- **City/County Civic Projects.** Includes all non-road City and County projects, including City/County administrative facilities, jails, courts, juvenile facilities, parks, libraries, and all other facilities that serve the public. Civic projects also include public transit facilities built by transportation agencies. These projects will be charged on a per acre basis and will be able to reduce the fee due by the percentage of Measure A or TUMF funds programed on the project. Please contact the RCA if you have this type of project in your jurisdiction.
- **Riverside County Flood Control District Projects.** Includes all Riverside County Flood Control District projects.

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As noted in the MSHCP and the IA, mitigation contributions for Caltrans Projects are intended to be covered through a combination of Measure A funds, 3,000 acres of land dedication, and support for the endowment and ongoing positions. Mitigation for federal projects (e.g., development of a federal building) occurs through the Section 7 consultation process of the Federal Endangered Species Act; in some cases, these projects might be required to provide mitigation similar to those of other Public Projects under the MSHCP.

2. Mitigation Requirements and Transportation Funding Sources

For transportation projects, the mitigation payment calculations are more complicated due to the distinct mitigation payments/contributions directly incorporated into certain types of transportation funding, as described below:

- **TUMF Funding.** The TUMF includes a small component tied to the mitigation of the portions of projects funded by TUMF revenues. This portion of the TUMF is passed directly from WRCOG to the RCA. As a result, the proportion of transportation projects that are funded by TUMF revenues are netted out from transportation project mitigation payments (described in more detail below).

- **Measure A Funding.** A portion of the Measure A sales tax revenues was collected and provided to the RCA to support MSHCP implementation. This contribution represented the mitigation payment for the portions of projects funded with Measure A dollars. As a result, the proportion of transportation projects that are funded by Measure A funds are netted out from transportation project mitigation payments (described in more detail below).
- **Federal Funding.** Unlike TUMF and Measure A funding, direct mitigation funding has not been provided for the portions of transportation projects that are federally funded. As a result, federal funding is not excluded from the mitigation payment calculation. It is recommended that Local Permittees incorporate the mitigation payment associated with federally funded portions of their transportation projects into any grant applications for federal transportation funding.

3. Public Project Mitigation Payment Approaches

There are two primary approaches that underlie the calculation of Public Project mitigation payments, including:

- **Per Gross Acre Fee Payments.** For some Public Projects, the required mitigation payment is based on the application of the per gross acre fee to the gross project acres. The per gross acre fee is the same fee that applies to Private Projects. The fee will vary each year/periodically and is calculated at \$16,358 per Gross Project Acre in the 2020 Nexus Study.
- **Percent of Construction Costs.** For some Public Projects, the mitigation payment requirement is three (3) percent or five (5) percent of total construction costs (described in more detail below).

4. Public Project Mitigation Fee Calculations by Project Type

The table below shows fee calculations for different Public Project types.

Table 3-4: Mitigation Payment Approach for Public Projects

MITIGATION PAYMENT FORMULA FOR DIFFERENT TYPES OF PUBLIC PROJECTS

City/County Road and Infrastructure Projects

All City and County Road and Infrastructure Projects

Fee Calculation:

Fee Payment = 5% x Total Construction Costs

Notes:

1. Applies to all new road projects, all road widening projects, and other road investments that are not maintenance efforts, and linear infrastructure projects.
2. The proportion of total project costs covered by TUMF funding and Measure A funding is discounted from the total construction costs (where applicable) prior to fee payment calculation.
3. Total construction costs are a portion of total project costs. Total construction costs include all direct/ hard costs, including contingencies and change orders. ROW acquisition costs and soft costs are not included in total construction costs.

City/County Civic Projects

All City and County (non-road and non-linear) public projects, including City/County administrative facilities, jails, courts, juvenile facilities, parks, libraries, or other facilities that serve the public.

Fee Calculation:

Fee Payment = Gross Project Acres x Per Gross Acre Fee

Notes:

1. No exceptions unless specifically noted in the Ordinance.
2. School District, Special District, and certain other public projects are covered as PSE's.

Riverside County Flood Control District Projects

All Riverside County Flood Control District projects

Fee Calculation:

Fee Payment = 3% x Total Construction Costs

Notes:

1. Total construction costs are a portion of total project costs. Total construction costs include all direct/hard costs, including contingencies and change orders. ROW acquisition costs and soft costs are not included in total construction costs.
-

MITIGATION PAYMENT FORMULA FOR DIFFERENT TYPES OF PUBLIC PROJECTS

City/County Road Projects

All City and County Road Projects

Fee Calculation:

Fee Payment = 5% x Total Construction Costs

Notes:

1. Applies to all new road projects, all road widening projects, and other road investments that are not maintenance efforts.
2. The proportion of total project costs covered by TUMF funding and Measure A funding is discounted from the total construction costs (where applicable) prior to fee payment calculation.
3. Total construction costs are a portion of total project costs. Total construction costs include all direct/ hard costs, including contingencies and change orders. ROW acquisition costs and soft costs are not included in total construction costs.

City/County Civic Projects

~~*All City and County (non-road) public projects, including City/County administrative facilities, jails, courts, juvenile facilities, parks, libraries, or other facilities that serve the public.*~~

Fee Calculation:

Fee Payment = Gross Project Acres x Per Gross Acre Fee

Notes:

1. No exceptions unless specifically noted in the Ordinance.
2. School District, Special District, and certain other public projects are covered as PSE's.

Riverside County Flood Control District Projects

All Riverside County Flood Control District projects

Fee Calculation

Fee Payment = 3% x Total Construction Costs

Notes

1. Total construction costs are a portion of total project costs. Total construction costs include all direct/hard costs, including contingencies and change orders. ROW acquisition costs and soft costs are not included in total construction costs.

D. Participating Special Entity Projects

PSEs are entities that are not formally covered under the MSHCP but are allowed to obtain the same MSHCP streamlined permitting by making the appropriate mitigation payments. This section categorizes the different types of PSE projects and the associated

mitigation payment requirements. The mitigation payment system for PSE projects is similar to the one for public projects and includes a mix of approaches typically tied to the percent of construction costs or the adopted per gross acre mitigation fee for non-residential uses.

1. PSE Project Types

PSEs includes entities/agencies such as public and private utility districts/companies, School Districts, Special Districts, and Quasi-Public entities, among others. Public water districts, private water companies, telecommunication companies, ~~Investor~~ Owned/Investor-Owned Utilities, Schools, Colleges, and Universities would all fall in this project category.

The mitigation payment requirement/obligation varies between the following Public Project types.

- Non-Linear Projects. Includes all projects that are non-linear in form. Examples would be a facility or a water tank.
- Linear Projects. Includes all linear projects with differentiation in payment amount between permanent and temporary impacts. Examples would be a gas line or linear transmission line.

2. PSE Mitigation Payment Approaches

There are two primary approaches that underlie the calculation of PSE mitigation payments, including:

- Per Gross Acre Fee Payments. For non-linear PSE, the required mitigation payment is based on the application of the per gross acre fee to the gross project acres. The per gross acre fee is the same fee that applies to PSE. The fee will vary each year/periodically and is calculated at \$16,358 per Gross Project Acre in the 2020 Nexus Study.
- Percent of Construction Costs. For linear projects, the mitigation payment requirement is five (5) percent of total construction costs for permanent impacts and three (3) percent of total construction costs for temporary impacts.

3. PSE Project Mitigation Fee Calculations by Project Type

The table below shows fee calculations for different PSE project types.

Table 3-5: Mitigation Payment Approach for PSE Projects

MITIGATION PAYMENT FORMULA FOR DIFFERENT TYPES OF PSE PROJECTS

Non-Linear Projects

All PSE projects/impacts that are not linear in form

Fee Calculation:

Fee Payment = Gross Project Acres x Per Gross Acre Fee

Linear Projects - Permanent Impacts

All PSE impacts that are linear in form and permanent

Fee Calculation

Fee Payment = 5% x Total Construction Costs related to Permanent Impacts

Linear Projects - Temporary Impacts

All PSE impacts that are linear in form and temporary

Fee Calculation

Fee Payment = 3% x Total Construction Costs related to Temporary Impacts

Notes

1. Total construction costs are a portion of total project costs. Total construction costs include all direct/hard costs, including contingencies and change orders. ROW acquisition costs and soft costs are not included in total construction costs.

CHAPTER IV. MITIGATION PAYMENT EXAMPLES

This chapter provides illustrative fee calculations for examples of Private and Public Projects. Building off the comprehensive description of mitigation requirements and formulae by project type in **Chapter III**, this chapter provides fee calculations for an illustrative set of projects. Illustrative examples were developed for a range of circumstances and are designed to help Local Permittees identify the appropriate approach for estimating mitigation payments. The examples included in this chapter are for illustration purposes only. In the event of a conflict between these examples and the Fee Ordinance of the applicable City/County, the Fee Ordinance shall control the administration of the LDMF. Please contact RCA staff if you are unclear on how to conduct the mitigation payment calculation for a particular project.

A. Private Projects: Residential/Mixed Use Examples

This section contains six (6) examples of private development projects, including four (4) residential projects and two (2) mixed-use projects. More specifically, they include:

- Example 1: All Residential – Low Density
- Example 2: All Residential – Low Density – including Backbone Road Construction
- Example 3: All Residential – High Density - including Backbone Road Construction
- Example 4: All Residential – Combination of Densities
- Example 5: Horizontal Mixed Use – Residential/Commercial – including Backbone Road Construction
- Example 6: Vertical Mixed Use – Residential/Commercial

These examples are not intended to be all inclusive but rather give permittees guidance on calculating the mitigation fee payment given different project types and characteristics. Included in each example is a narrative of the example project, a figure representation of the project layout, the development program description, and the mitigation fee calculation. No stand-alone commercial project examples are included as the application of the per gross acre mitigation fee to the gross project acres is universal for all non-residential Private Projects.

Example 1 - All Residential – Low Density

Residential project to be developed on a total of ten acres (area inside red boundary). The project will include residential units, a community building/area for the residents of the development (project residents only), and streets within the development (in-tract streets). All roads leading to the development have already been built and do not require investments by the developer. A total of 50 residential units are planned within the ten gross acres, resulting in an average residential density of five units per acre. This represents a low-density residential project for the purpose of the fee program. Please

see the visual representation of the project layout (Figure 4.1-1), the development program data (Table 4.1-1), and mitigation payment calculation (Table 4.1-2) below.

Figure 4.1-1: Illustrative Project Layout

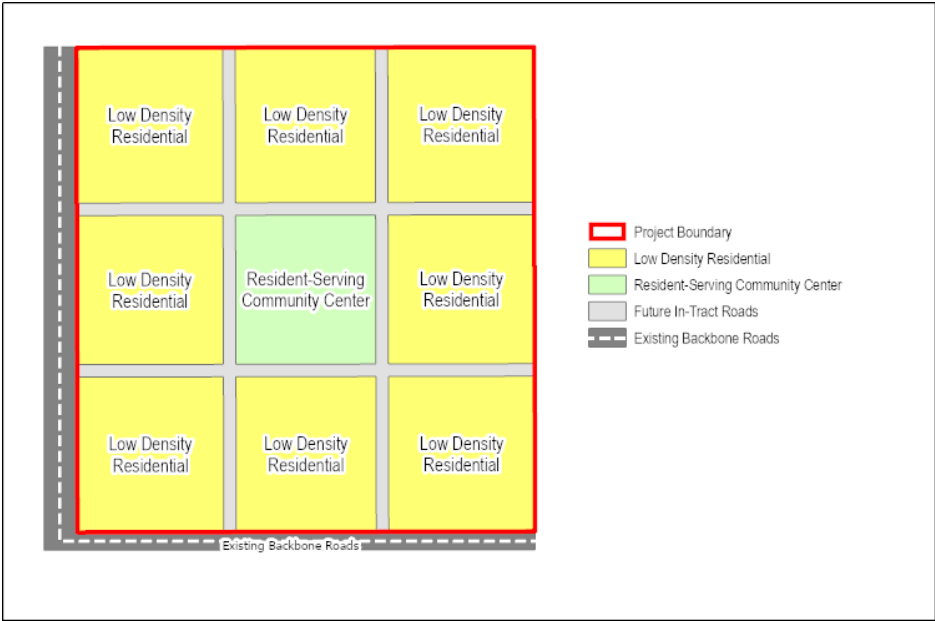


Table 4.1-1: Illustrative Development Program

Item	Amount
Gross Project Area	10 acres
<u>Residential Development Area</u>	
Residential Development Area	8.25
In-Tract/Project Resident Serving (Residential)	<u>1.75</u>
Total/Gross Residential Acres	10.00
<u>All Other Development</u>	
Non-Residential Development Area	0
Backbone/Area-Serving	0
Total Non-Residential Development	0
Residential Development	
Low Density (1)	50
Medium Density (1)	0
High Density (1)	0
Total Units	50 units
Residential Project Density	
Residential Project Density	5 units/acre
Residential Fee Density Category (1)	LOW

(1) Residential density categories as follows:

- Low Density - less than or equal to 8 residential units/gross residential acre.
- Medium Density - greater than 8 and less than 164 residential units/gross residential acre.
- High Density - greater than 164 residential units/gross residential acre.

Item	Amount
Gross Project Area	10 acres
<u>Residential Development Area</u>	
Residential Development Area	8.25
In-Tract/Project Resident Serving (Residential)	<u>1.75</u>
Total/Gross Residential Acres	10.00
<u>All Other Development</u>	
Non-Residential Development Area	0
Backbone/Area-Serving	0
Total Non-Residential Development	0
Residential Development	
Low Density (1)	50
Medium Density (1)	0
High Density (1)	0
Total Units	50 units
Residential Project Density	
Residential Project Density	5 units/acre
Residential Fee Density Category (1)	LOW

(1) Residential density categories as follows:

- Low Density - less than or equal to 8 residential units/gross residential acre.
- Medium Density - greater than 8 and less than 16 residential units/gross residential acre.
- High Density - greater than 16 residential units/gross residential acre.

Table 4.1-2: Mitigation Fee Payment Calculation

Item	Units/Acres	Per Unit/Per Acre Mitigation Fee (1)	Mitigation Fee Payment
Residential Development (2)	50 units	\$3,635 (low density)	\$181,750
Non-Residential Development (3)	0 acres	16,358	0
Backbone/Community-Serving (4)	0 acres	16,358	0
Total Mitigation Fee Payment (5)			\$181,750

(1) Fee schedule will be updated periodically. Fee schedule used for Example Calculations as follows:

Residential Development

Low Density (on average)	\$3,635	per unit
Medium Density (on average)	1,515	per unit
High Density (on average)	670	per unit
<u>All Other Development</u>	16,358	per gross acre

(2) Residential mitigation fee payment covers residential units and associated in-tract infrastructure/ improvements and project resident-serving amenities. All infrastructure, improvements, and amenities that serve beyond the project residents is covered in separate component of the fee calculation.

(3) Includes land area associated with non-residential development, such as commercial/industrial buildings, parking, and landscaping, among other components.

(4) All infrastructure/improvements/amenities that serve beyond the project/project residents and that are not included in the non-residential development fee payment calculation included here.

(5) Mitigation fee payment calculation does not include any additional member jurisdiction administrative charges.

Example 2 – All Residential – Low Density – Including Backbone Road Construction

Residential project to be developed on a total of 12.5 acres (inside red boundary). The project will include residential units, a community building/area for the residents of the development (project residents only), streets within the development (in-tract streets), and new streets leading to the project (backbone/community-serving streets). The Member Agency has required the builder to construct backbone roads as a condition of the permit. The backbone roads will be built on an additional 2.5 acres of land distinct from the 10 acres that will incorporate the residential development and project resident-serving improvements/amenities. A total of 50 residential units are planned within the 10 gross acres (gross residential acres) that exclude the backbone/community-serving infrastructure. This results in an average residential density of five units per acre and represents a low-density residential project for the purpose of the fee program. Please see the visual representation of the project layout (Figure 4.2-1), the development program data (Table 4.2-1), and the mitigation payment calculation (Table 4.2-2) below.

Figure 4.2-1: Illustrative Project Layout

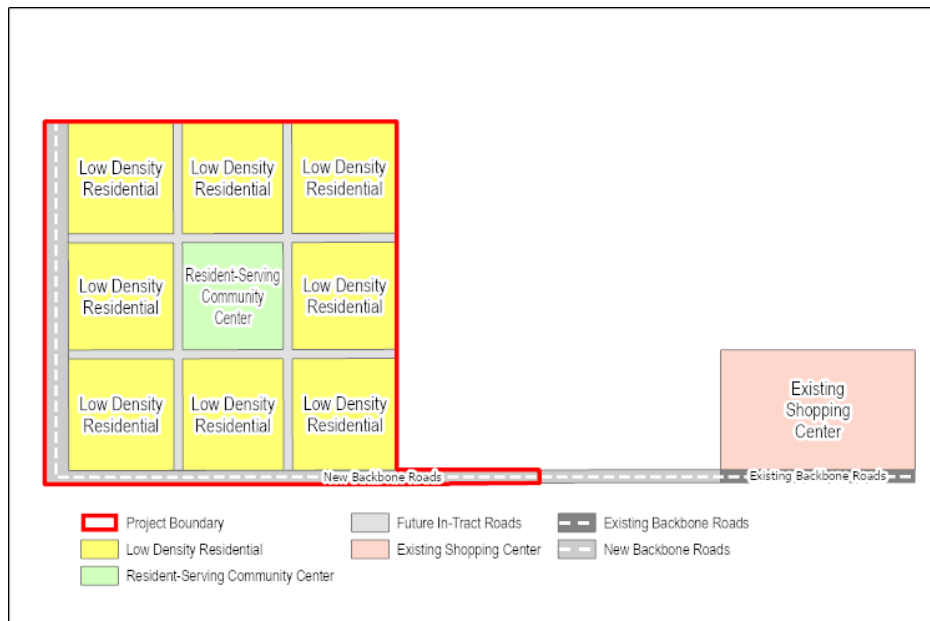


Table 4.2-1: Illustrative Development Program

Item	Amount
Gross Project Area	12.5 acres
<u>Residential Development Area</u>	
Residential Development Area	8.25
In-Tract/Project Resident Serving (Residential)	<u>1.75</u>
Total/Gross Residential Acres	10.00
<u>All Other Development</u>	
Non-Residential Development Area	0
Backbone/Area-Serving	<u>2.5</u>
Total Non-Residential Development	2.5
Residential Development	
Low Density (1)	50
Medium Density (1)	0
High Density (1)	<u>0</u>
Total Units	50 units
Residential Project Density	
Residential Project Density	5 units/acre
Residential Fee Density Category (1)	LOW

(1) Residential density categories as follows:

- Low Density - less than or equal to 8 residential units/gross residential acre.
- Medium Density - greater than 8 and less than 164 residential units/gross residential acre.
- High Density - greater than 164 residential units/gross residential acre.

Item	Amount
Gross Project Area	12.5 acres
<u>Residential Development Area</u>	
Residential Development Area	8.25
In-Tract/Project Resident Serving (Residential)	<u>1.75</u>
Total/Gross Residential Acres	10.00
<u>All Other Development</u>	
Non-Residential Development Area	0
Backbone/Area-Serving	<u>2.5</u>
Total Non-Residential Development	2.5
Residential Development	
Low Density (1)	50
Medium Density (1)	0
High Density (1)	<u>0</u>
Total Units	50 units
Residential Project Density	
Residential Project Density	5 units/acre
Residential Fee Density Category (1)	LOW

(1) Residential density categories as follows:

- Low Density - less than or equal to 8 residential units/gross residential acre.
- Medium Density - greater than 8 and less than 16 residential units/gross residential acre.
- High Density - greater than 16 residential units/gross residential acre.

Table 4.2-2: Mitigation Payment Calculation

Item	Units/Acres	Per Unit/Per Acre Mitigation Fee (1)	Mitigation Fee Payment
Residential Development (2)	50 units	\$3,635 (low density)	\$181,750
Non-Residential Development (3)	0 acres	16,358	0
Backbone/Community-Serving (4)	2.5 acres	16,358	40,895
Total Mitigation Fee Payment (5)			\$222,645

(1) Fee schedule will be updated periodically. Fee schedule used for Example Calculations as follows:

Residential Development

Low Density (on average)	\$3,635	per unit
Medium Density (on average)	1,515	per unit
High Density (on average)	670	per unit
<u>All Other Development</u>	16,358	per gross acre

(2) Residential mitigation fee payment covers residential units and associated in-tract infrastructure/ improvements and project resident-serving amenities. All infrastructure, improvements, and amenities that serve beyond the project residents is covered in separate component of the fee calculation.

(3) Includes land area associated with non-residential development, such as commercial/industrial buildings, parking, and landscaping, among other components.

(4) All infrastructure/improvements/amenities that serve beyond the project/project residents and that are not included in the non-residential development fee payment calculation included here.

(5) Mitigation fee payment calculation does not include any additional member jurisdiction administrative charges.

Example 3 – All Residential – High Density – Including Backbone Road Construction

Residential project to be developed on a total of 12.5 acres (inside red boundary). The project will include residential units, a community building/area for the residents of the development (project residents only), streets within the development (in-tract streets), and new streets leading to the project (backbone/community-serving streets). The Member Agency has required the builder to construct backbone roads as a condition of the permit. The backbone roads will be built on an additional 2.5 acres of land distinct from the 10 acres that will incorporate the residential development and project resident-serving improvements/amenities. A total of 200 residential units are planned within the 10 gross acres that exclude the backbone/community-serving infrastructure. This results in an average residential density of 20 units per acre and represents a high-density residential project for the purpose of the fee program. Please see the visual representation of the project layout (Figure 4.3-1), the illustrative development program data (Table 4.3-1), and the mitigation payment calculation (Table 4.3-2) below.

Figure 4.3-1: Project Layout

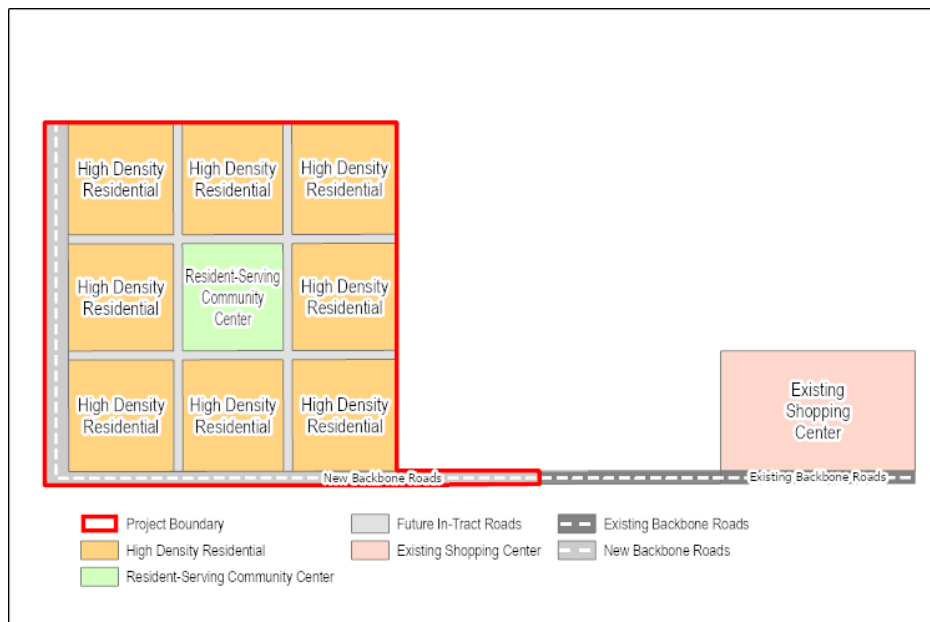


Table 4.3-1: Illustrative Development Program

Item	Amount
Gross Project Area	12.5 acres
<u>Residential Development Area</u>	
Residential Development Area	8.00
In-Tract/Project Resident Serving (Residential)	<u>2.00</u>
Total/Gross Residential Acres	10.00
<u>All Other Development</u>	
Non-Residential Development Area	0
Backbone/Area-Serving	<u>2.5</u>
Total Non-Residential Development	2.5
Residential Development	
Low Density (1)	0
Medium Density (1)	0
High Density (1)	<u>200</u>
Total Units	200 units
Residential Project Density	
Residential Project Density	20 units/acre
Residential Fee Density Category (1)	HIGH

(1) Residential density categories as follows:

- Low Density - less than or equal to 8 residential units/gross residential acre.
- Medium Density - greater than 8 and less than 164 residential units/gross residential acre.
- High Density - greater than 164 residential units/gross residential acre.

Item	Amount
Gross Project Area	12.5 acres
<u>Residential Development Area</u>	
Residential Development Area	8.00
In-Tract/Project Resident Serving (Residential)	<u>2.00</u>
Total/Gross Residential Acres	10.00
<u>All Other Development</u>	
Non-Residential Development Area	0
Backbone/Area-Serving	<u>2.5</u>
Total Non-Residential Development	2.5
Residential Development	
Low Density (1)	0
Medium Density (1)	0
High Density (1)	<u>200</u>
Total Units	200 units
Residential Project Density	
Residential Project Density	20 units/acre
Residential Fee Density Category (1)	HIGH

(1) Residential density categories as follows:

- Low Density - less than or equal to 8 residential units/gross residential acre.
- Medium Density - greater than 8 and less than 16 residential units/gross residential acre.
- High Density - greater than 16 residential units/gross residential acre.

Table 4.3-2: Mitigation Payment Calculation

Item	Units/ Acres	Per Unit/ Per Acre Mitigation Fee (1)	Mitigation Fee Payment
Residential Development (2)	200 units	\$670 (high density)	\$134,000
Non-Residential Development (3)	0 acres	16,358	0
Backbone/Community-Serving (4)	2.5 acres	16,358	40,895
Total Mitigation Fee Payment (5)			\$174,895

(1) Fee schedule will be updated periodically. Fee schedule used for Example Calculations as follows:

Residential Development

Low Density (on average)	\$3,635	per unit
Medium Density (on average)	1,515	per unit
High Density (on average)	670	per unit
<u>All Other Development</u>	16,358	per gross acre

(2) Residential mitigation fee payment covers residential units and associated in-tract infrastructure/ improvements and project resident-serving amenities. All infrastructure, improvements, and amenities that serve beyond the project residents is covered in separate component of the fee calculation.

(3) Includes land area associated with non-residential development, such as commercial/industrial buildings, parking, and landscaping, among other components.

(4) All infrastructure/improvements/amenities that serve beyond the project/project residents and that are not included in the non-residential development fee payment calculation included here.

(5) Mitigation fee payment calculation does not include any additional member jurisdiction administrative charges.

Example 4 – All Residential – Combination of Densities

Residential project to be developed on a total of 7.25 acres (area inside red boundary). The project will include residential units, a community building/area for the residents of the development (project residents only), and streets within the development (in-tract streets). All roads leading to the development have already been built and do not require investments by the developer. A total of 50 residential units are planned within the 7.25 gross acres, including a mix of low- and high-density development. The 50 residential units planned on 7.25 gross acres result in an average residential density of 6.9 units per acre. This represents a low-density residential project for the purpose of the fee program. Please see the visual representation of the project layout (Figure 4.4-1), the illustrative development program data (Table 4.4-1), and the mitigation payment calculation (Table 4.4-2) below.

Figure 4.4-1: Illustrative Project Layout

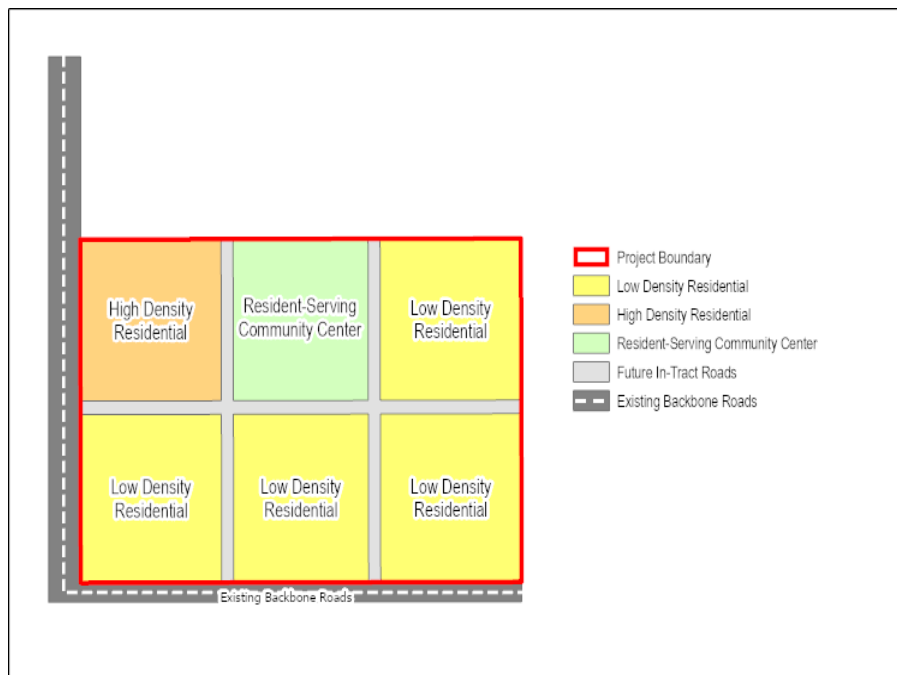


Table 4.4-1: Illustrative Development Program

Item	Amount
Gross Project Area	7.25 acres
<u>Residential Development Area</u>	
Residential Development Area	5.75
In-Tract/Project Resident Serving (Residential)	<u>1.50</u>
Total/Gross Residential Acres	7.25
<u>All Other Development</u>	
Non-Residential Development Area	0
Backbone/Area-Serving	0
Total Non-Residential Development	0
Residential Development	
Low Density (1)	25
Medium Density (1)	0
High Density (1)	<u>25</u>
Total Units	50 units
Residential Project Density	
Residential Project Density	6.9 units/acre
Residential Fee Density Category (1)	LOW

(1) Residential density categories as follows:

- Low Density - less than or equal to 8 residential units/gross residential acre.
- Medium Density - greater than 8 and less than 164 residential units/gross residential acre.
- High Density - greater than 164 residential units/gross residential acre.

Item	Amount
Gross Project Area	7.25 acres
<u>Residential Development Area</u>	
Residential Development Area	5.75
In-Tract/Project Resident Serving (Residential)	<u>1.50</u>
Total/Gross Residential Acres	7.25
<u>All Other Development</u>	
Non-Residential Development Area	0
Backbone/Area-Serving	<u>0</u>
Total Non-Residential Development	0
Residential Development	
Low Density (1)	25
Medium Density (1)	0
High Density (1)	<u>25</u>
Total Units	50 units
Residential Project Density	
Residential Project Density	6.9 units/acre
Residential Fee Density Category (1)	LOW

(1) Residential density categories as follows:

- Low Density - less than or equal to 8 residential units/gross residential acre.
- Medium Density - greater than 8 and less than 16 residential units/gross residential acre.
- High Density - greater than 16 residential units/gross residential acre.

Table 4.4-2: Mitigation Payment Calculation

Item	Units/Acres	Per Unit/ Per Acre Mitigation Fee (1)	Mitigation Fee Payment
Residential Development (2)	50 units	\$3,635 (low density)	\$181,750
Non-Residential Development (3)	0 acres	16,358	0
Backbone/Community-Serving (4)	0 acres	16,358	0
Total Mitigation Fee Payment (5)			\$181,750

(1) Fee schedule will be updated periodically. Fee schedule used for Example Calculations as follows:

Residential Development

Low Density (on average)	\$3,635	per unit
Medium Density (on average)	1,515	per unit
High Density (on average)	670	per unit
<u>All Other Development</u>	16,358	per gross acre

(2) Residential mitigation fee payment covers residential units and associated in-tract infrastructure/ improvements and project resident-serving amenities. All infrastructure, improvements, and amenities that serve beyond the project residents is covered in separate component of the fee calculation.

(3) Includes land area associated with non-residential development, such as commercial/industrial buildings, parking, and landscaping, among other components.

(4) All infrastructure/improvements/amenities that serve beyond the project/project residents and that are not included in the non-residential development fee payment calculation included here.

(5) Mitigation fee payment calculation does not include any additional member jurisdiction administrative charges.

Example 5 – Horizontal Mixed Use – Residential and Commercial – Including Backbone Road Construction

Mixed use project to be developed on a total of 22.5 acres (inside red boundary). Residential project to be developed on 10 gross acres. The project will include three components: (1) residential units, a community building/area for the residents of the development (project residents only), and streets within the residential development (in-tract streets); (2) a commercial development (e.g. shopping center) and project-serving improvements (e.g. parking, landscaping, and any other component that is not restricted to use by the residents only); and, (3) backbone/community serving roads on 2.5 acres of land that the Member Agency has required the builder to construct as a condition of the permit. A total of 50 residential units are planned within the 10 gross residential acres that exclude the backbone/community-serving infrastructure and the commercial development. This results in an average residential density of five units per acre, meaning that the residential component of the project is low density for the purpose of the fee program. Please see the visual representation of the project layout (Figure 4.5-1), the illustrative development program data (Table 4.5-1), and the mitigation payment calculation (Table 4.5-2) below.

Figure 4.5-1: Illustrative Project Layout

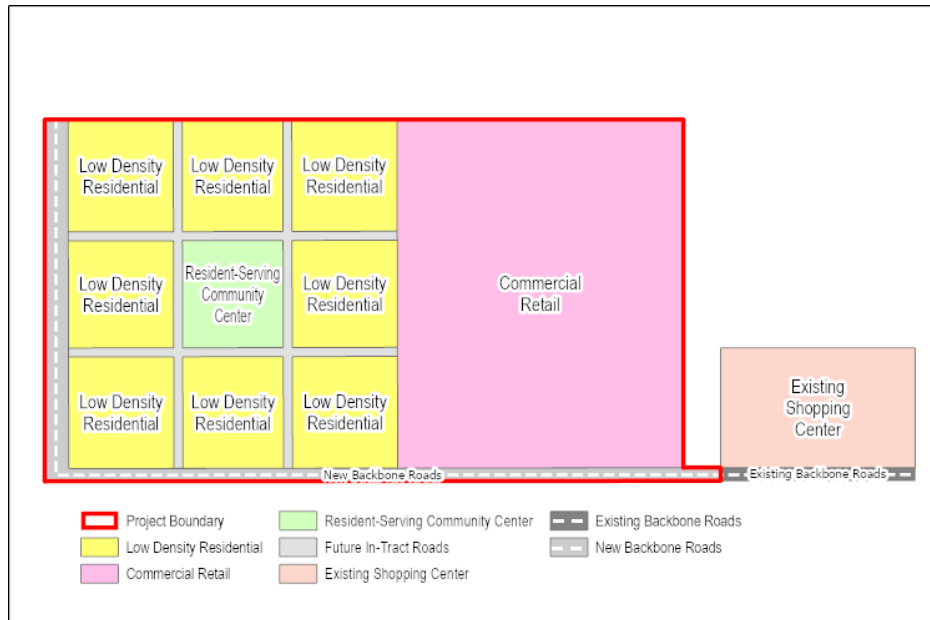


Table 4.5-1: Illustrative Development Program

Item	Amount
Gross Project Area	22.5 acres
<u>Residential Development Area</u>	
Residential Development Area	8.25
In-Tract/Project Resident Serving (Residential)	<u>1.75</u>
Total/Gross Residential Acres	10.00
<u>All Other Development</u>	
Non-Residential Development Area	10.0
Backbone/Area-Serving	<u>2.5</u>
Total Non-Residential Development	12.5
Residential Development	
Low Density (1)	50
Medium Density (1)	0
High Density (1)	<u>0</u>
Total Units	50 units
Residential Project Density	
Residential Project Density	5.0 units/acre
Residential Fee Density Category (1)	LOW

(1) Residential density categories as follows:

- Low Density - less than or equal to 8 residential units/gross residential acre.
- Medium Density - greater than 8 and less than 164 residential units/gross residential acre.
- High Density - greater than 164 residential units/gross residential acre.

Item	Amount
Gross Project Area	22.5 acres
<u>Residential Development Area</u>	
Residential Development Area	8.25
In-Tract/Project Resident Serving (Residential)	<u>1.75</u>
Total/Gross Residential Acres	10.00
<u>All Other Development</u>	
Non-Residential Development Area	10.0
Backbone/Area-Serving	<u>2.5</u>
Total Non-Residential Development	12.5
Residential Development	
Low Density (1)	50
Medium Density (1)	0
High Density (1)	<u>0</u>
Total Units	50 units
Residential Project Density	
Residential Project Density	5.0 units/acre
Residential Fee Density Category (1)	LOW

(1) Residential density categories as follows:

- Low Density - less than or equal to 8 residential units/gross residential acre.
- Medium Density - greater than 8 and less than 16 residential units/gross residential acre.
- High Density - greater than 16 residential units/gross residential acre.

Table 4.5-2: Mitigation Fee Payment Calculation

Item	Units/Acres	Per Unit/ Per Acre Mitigation Fee (1)	Mitigation Fee Payment
Residential Development (2)	50 units	\$3,635 (low density)	\$181,750
Non-Residential Development (3)	10 acres	16,358	163,580
Backbone/Community-Serving (4)	2.5 acres	16,358	40,895
Total Mitigation Fee Payment (5)			\$386,225

(1) Fee schedule will be updated periodically. Fee schedule used for Example Calculations as follows:

Residential Development

Low Density (on average)	\$3,635	per unit
Medium Density (on average)	1,515	per unit
High Density (on average)	670	per unit
<u>All Other Development</u>	16,358	per gross acre

(2) Residential mitigation fee payment covers residential units and associated in-tract infrastructure/ improvements and project resident-serving amenities. All infrastructure, improvements, and amenities that serve beyond the project residents is covered in separate component of the fee calculation.

(3) Includes land area associated with non-residential development, such as commercial/industrial buildings, parking, and landscaping, among other components.

(4) All infrastructure/improvements/amenities that serve beyond the project/project residents and that are not included in the non-residential development fee payment calculation included here.

(5) Mitigation fee payment calculation does not include any additional member jurisdiction administrative charges.

Example 6 – Vertical Mixed Use – Residential and Commercial

Mixed use project to be developed on a total of 3 acres (inside red boundary). The project will include a podium at street level that will include commercial/retail as well as parking, residential units in the stories above the podium, as well as streets within the project area (in-tract streets). A total of 90 residential units are planned within the 3-acre project area. This results in an average residential density of 30 units per acre, meaning that the residential component of the project is high density for the purpose of the fee program. Please see the visual representations of the project layout (Figures 4.6-1 and 4.6-2), the illustrative development program data (Table 4.6-1), and the mitigation payment calculations (Tables 4.6-2 and 4.6-3) below. Two calculations must be conducted for mixed-use vertical projects and the higher of the two calculations must be used. One calculation treats the project like a residential project and the other calculation treats it like a commercial project. In the example below, the mitigation payment is \$60,300 under the first method and \$49,074 under the second method, so the \$60,300 payment applies.

Figure 4.6-1: Illustrative Project Layout – Residential and Commercial Vertical View



Figure 4.6-2: Illustrative Project Layout – Residential and Commercial Horizontal View

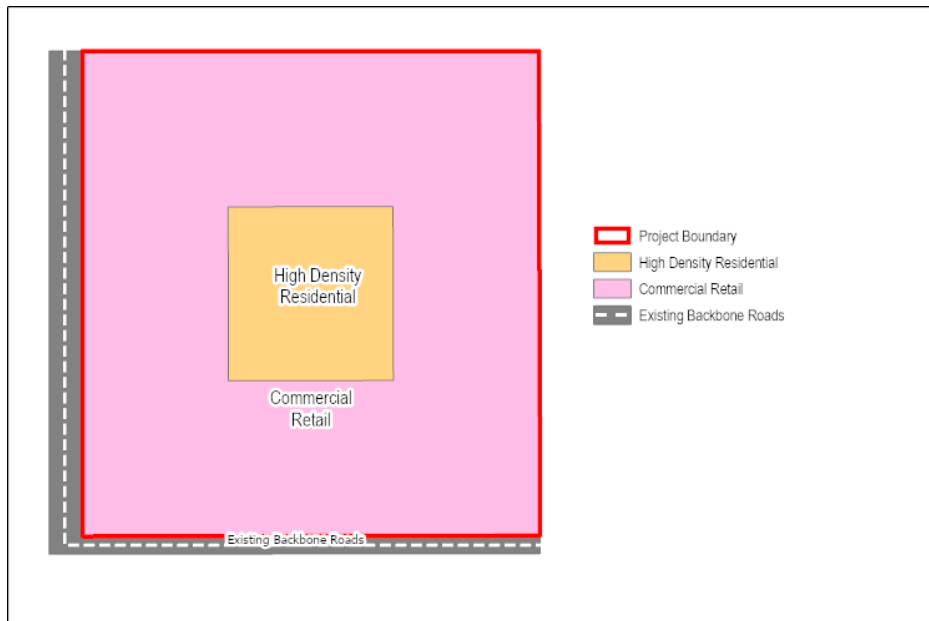


Table 4.6-1: Illustrative Development Program

Item	Amount
Gross Project Area	3 acres
<u>Residential Development Area</u>	
Residential Development Area	2.75
In-Tract/ Project Resident Serving (Residential)	<u>0.25</u>
Total/ Gross Residential Acres	3.00
<u>All Other Development</u>	
Non-Residential Development Area	0.0
Backbone/ Area-Serving	<u>0</u>
Total Non-Residential Development	0
Residential Development	
Low Density (1)	0
Medium Density (1)	0
High Density (1)	<u>90</u>
Total Units	90 units
Residential Project Density	
Residential Project Density	30.0 units/acre
Residential Fee Density Category (1)	HIGH

(1) Residential density categories as follows:

- Low Density - less than or equal to 8 residential units/gross residential acre.
- Medium Density - greater than 8 and less than 164 residential units/gross residential acre.
- High Density - greater than 164 residential units/gross residential acre.

Item	Amount
Gross Project Area	3 acres
<u>Residential Development Area</u>	
Residential Development Area	2.75
In-Tract/ Project Resident Serving (Residential)	<u>0.25</u>
Total/ Gross Residential Acres	3.00
<u>All Other Development</u>	
Non-Residential Development Area	0.0
Backbone/ Area-Serving	<u>0</u>
Total Non-Residential Development	0
Residential Development	
Low Density (1)	0
Medium Density (1)	0
High Density (1)	<u>90</u>
Total Units	90 units
Residential Project Density	
Residential Project Density	30.0 units/acre
Residential Fee Density Category (1)	HIGH

(1) Residential density categories as follows:

- Low Density - less than or equal to 8 residential units/gross residential acre.
- Medium Density - greater than 8 and less than 16 residential units/gross residential acre.
- High Density - greater than 16 residential units/gross residential acre.

Table 4.6-2: Mitigation Fee Payment Calculation – Method 1 (Residential Focus)

Item	Units/Acres	Per Unit/ Per Acre Mitigation Fee (1)	Mitigation Fee Payment
Residential Development (2)	90 units	\$670 (high density)	\$60,300
Non-Residential Development (3)	0 acres	16,358	0
Backbone/Community-Serving (4)	0 acres	16,358	0
Total Mitigation Fee Payment (5)			\$60,300

(1) Fee schedule will be updated periodically. Fee schedule used for Example Calculations as follows:

Residential Development

Low Density (on average)	\$3,635	per unit
Medium Density (on average)	1,515	per unit
High Density (on average)	670	per unit
<u>All Other Development</u>	16,358	per gross acre

(2) Residential mitigation fee payment covers residential units and associated in-tract infrastructure/ improvements and project resident-serving amenities. All infrastructure, improvements, and amenities that serve beyond the project residents is covered in separate component of the fee calculation.

(3) Includes land area associated with non-residential development, such as commercial/industrial buildings, parking, and landscaping, among other components.

(4) All infrastructure/improvements/amenities that serve beyond the project/project residents and that are not included in the non-residential development fee payment calculation included here.

(5) Mitigation fee payment calculation does not include any additional member jurisdiction administrative charges.

Table 4.6-3: Mitigation Fee Payment Calculation – Method 2 (Commercial/Project Area Focus)

Item	Units/Acres	Per Unit/ Per Acre Mitigation Fee (1)	Mitigation Fee Payment
Residential Development (2)	0 units	\$670 (high density)	\$0
Non-Residential Development (3)	3 acres	16,358	49,074
Backbone/Community-Serving (4)	0 acres	16,358	0
Total Mitigation Fee Payment (5)			\$49,074

(1) Fee schedule will be updated periodically. Fee schedule used for Example Calculations as follows:

Residential Development

Low Density (on average)	\$3,635	per unit
Medium Density (on average)	1,515	per unit
High Density (on average)	670	per unit
<u>All Other Development</u>	16,358	per gross acre

(2) Residential mitigation fee payment covers residential units and associated in-tract infrastructure/ improvements and project resident-serving amenities. All infrastructure, improvements, and amenities that serve beyond the project residents is covered in separate component of the fee calculation.

(3) Includes land area associated with non-residential development, such as commercial/industrial buildings, parking, and landscaping, among other components.

(4) All infrastructure/improvements/amenities that serve beyond the project/project residents and that are not included in the non-residential development fee payment calculation included here.

(5) Mitigation fee payment calculation does not include any additional member jurisdiction administrative charges.

B. Public Project Examples

This section contains four (4) examples of public development projects, including one (1) Member Agency Civic Project and three (3) transportation/road projects. These examples are not intended to be all inclusive but rather give permittees guidance on calculating the mitigation fee payment given different project types, characteristics, and, in the case of road/transportation projects, different sources of funding. The Member Agency Civic Project example provides a brief narrative, a representation of the project layout, the development program description, and the mitigation payment calculation. The road/transportation examples provide a brief narrative of the project, cost estimates, key funding source information, and the mitigation payment calculation. Graphic layouts for the public road projects are not provided as the mitigation payment calculation is tied to costs and funding sources (not the specific layout of the project.)

As described in Chapter III and illustrated in the private project examples provided above in this chapter, mitigation payments for road and Member Agency Civic Projects that are developed by a private developer as part of a Private Project are calculated and made as part of the Private Project development mitigation payment.

Example 7 – Member Agency Civic Project

Member Agency Civic Projects includes the development of a library and park with adjacent parking lot. The parking lot will also serve as a park and ride location. The total acreage of the project is 6 acres (area inside red boundary). Please see the visual representation of the project layout (Figure 4.7-1), the development program data (Table 4.7-1), and mitigation payment calculations (Table 4.7-2) below.

Figure 4.7-1: Project Layout

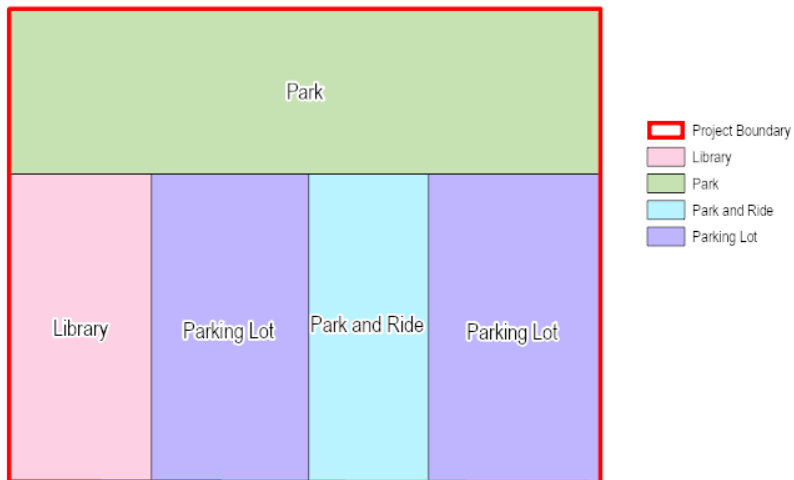


Table 4.7-1: Illustrative Development Program

Item	Amount
Library Area	1.0 acre
Park	2.0 acres
<u>Parking Area</u>	
Park and Ride Area	1.0 acre
General Parking Lot	<u>2.0</u> acres
Subtotal-Parking	3.0 acres
Gross Project Area	6.0 acres

Table 4.7-2: Mitigation Payment Calculation

Item	Amount
Gross Project Acres	6.0 acres
Mitigation Fee per Gross Acre (1)	\$16,358
<u>Total Mitigation Payment</u>	\$98,148

(1) Fee schedule will be updated periodically. Fee schedule used for example calculations is as follows:
Commercial/Industrial*

* Per gross acre fee for Local Public Capital Program is the same as for commercial/industrial development.

Example 8 – Road Widening with No Measure A or TUMF Funding

Road widening project with no Measure A or TUMF funding. Whole project is required to mitigate as project falls into the “new road, road widening, and other non-maintenance road projects” category that are required to mitigate (only maintenance projects costs such as road rehabilitation, restriping, and resealing are not required to mitigate). Total project cost is estimated at \$5.5 million, including total direct construction costs of \$4.4 million (including the construction cost contingency), \$1.1 million in soft costs, and no land/right of way (ROW) acquisition costs. Please see the example road project cost estimates data (Table 4.8-1), the funding source information (Table 4.8-2), and the mitigation payment calculations (Table 4.8-3) below.

Table 4.8-1: Illustrative Project Costs

Cost Item	Cost
NEW ROAD, ROAD WIDENING, OR OTHER NON-MAINTENANCE PROJECTS, (1) OR OTHER LINEAR INFRASTRUCTURE PROJECTS (1)	
Construction Costs	
Base Construction Costs	\$4,000,000 (3)
<u>Change Orders/Contingency</u>	400,000 (4)
Total Construction Costs	4,400,000
Soft Costs	1,100,000 (5)
Land Acquisition/ROW Costs	0
Total Capacity-Increasing Cost	5,500,000
MAINTENANCE PROJECTS (2)	
Total Construction Costs	0
Total Soft Costs	0
Total Non-Capacity-Increasing Cost	0
TOTAL PROJECT COSTS/USES	\$5,500,000

(1) Total Construction costs for new roads, road widening, ~~and~~ other non-maintenance and other linear infrastructure projects are included in the mitigation fee payment calculation (see Table 4.9-3).

(2) Examples of maintenance projects include road rehabilitation, re-striping, and resealing. See **Ordinance Chapter 7, Definitions** for full list of maintenance projects that are not required to mitigate.

(3) Initial fee payment calculations made on construction cost and construction contingency cost estimates. Additional fee payments also due on any change orders that add net costs above-and-beyond the initial construction cost contingency estimates.

(4) For illustrative purposes shown as 10% of base construction cost. Contingency (and future Change Orders) will vary by project.

(5) For illustrative purposes shown as 25% of total construction costs.

Cost Item	Cost
NEW ROAD, ROAD WIDENING, OR OTHER NON-MAINTENANCE PROJECTS (1)	
Construction Costs	
Base Construction Costs	\$4,000,000 (3)
<u>Change Orders/Contingency</u>	400,000 (4)
Total Construction Costs	4,400,000
Soft Costs	1,100,000 (5)
Land Acquisition/ROW Costs	0
Total Capacity-Increasing Cost	5,500,000
MAINTENANCE PROJECTS (2)	
Total Construction Costs	0
Total Soft Costs	0
Total Non-Capacity-Increasing Cost	0
TOTAL PROJECT COSTS/USES	\$5,500,000

(1) Total Construction costs for new roads, road widening, and other non-maintenance projects are included in the mitigation fee payment calculation (see Table 8-3).

(2) Examples of maintenance projects include road rehabilitation, re-striping, and resealing. See Ordinance for full list of maintenance projects that are not required to mitigate.

(3) Initial fee payment calculations made on construction cost and construction contingency cost estimates. Additional fee payments also due on any change orders that add net costs above-and-beyond the initial construction cost contingency estimates.

(4) For illustrative purposes shown as 10% of base construction cost. Contingency (and future Change Orders) will vary by project.

(5) For illustrative purposes shown as 25% of total construction costs.

Table 4.8-2: Illustrative Funding Sources

Cost Item	Amount	% of Total
TUMF/Measure A Funding		
TUMF Fee Revenues	\$0	0%
Measure A Funding	0	0%
Subtotal	0	0%
Other Funding	5,500,000	100%
TOTAL PROJECT FUNDING/SOURCES	\$5,500,000	100%

Table 4.8-3: Mitigation Payment Calculation

Cost Item	Amount	Source/ Calculation
TOTAL PROJECT COSTS	\$5,500,000	a See Table 4.8-1
TOTAL CAPACITY-INCREASING CONSTRUCTION COST	4,400,000	b See Table 4.8-1
% of FUNDING FROM OTHER FUNDING SOURCES (1)	100%	c See Table 4.8-2
ELIGIBLE COST BASIS FOR MITIGATION PAYMENT CALCULATION	4,400,000	d = b * c Calculation
MITIGATION FEE PAYMENT DUE FROM LOCAL JURISDICTION (2)	\$220,000	e = d * 5% Calculation

(1) Other funding sources includes all costs not funded by TUMF or Measure A revenues as calculated in Table 4.8-2.

(2) Mitigation fee payment by permitting agency is 5% of eligible construction cost.

Cost Item	Amount	Source/ Calculation	
TOTAL PROJECT COSTS	\$5,500,000	a	See Table 8-1
TOTAL CAPACITY-INCREASING CONSTRUCTION COST	4,400,000	b	See Table 8-1
% of FUNDING FROM OTHER FUNDING SOURCES (1)	100%	c	See Table 8-2
ELIGIBLE COST BASIS FOR MITIGATION PAYMENT CALCULATION	4,400,000	d = b * c	Calculation
MITIGATION FEE PAYMENT DUE FROM LOCAL JURISDICTION (2)	\$220,000	e = d * 5%	Calculation

(1) Other funding sources includes all costs not funded by TUMF or Measure A revenues as calculated in Table 8-2.

(2) Mitigation fee payment by permitting agency is 5% of eligible construction cost.

Example 9 – Road Widening Project with 20% Measure A/TUMF Funding

Road widening project with 20 percent of funding from Measure A and TUMF funding. Whole project is required to mitigate as project - new road, road widening, and other non-maintenance road projects are required to mitigate (only maintenance costs are not required to mitigate). However, 20 percent of the project will be mitigated separately through TUMF or Measure A funding. Total projects cost is estimated at \$5.5 million, including total direct construction costs of \$4.4 million (including the construction cost contingency), \$1.1 million in soft costs, and no land/ROW acquisition costs. Please see the example road project cost estimates data (Table [4.9-1](#)), the funding source information (Table [4.9-2](#)), and the mitigation payment calculations (Table [4.9-3](#)) below.

Table 4.9-1: Illustrative Project Costs

Cost Item	Cost
NEW ROAD, ROAD WIDENING, OR OTHER NON-MAINTENANCE PROJECTS, (1) OR OTHER LINEAR INFRASTRUCTURE PROJECTS (1)	
Construction Costs	
Base Construction Costs	\$4,000,000 (3)
<u>Change Orders/Contingency</u>	400,000 (4)
Total Construction Costs	4,400,000
Soft Costs	1,100,000 (5)
Land Acquisition/ROW Costs	0
Total Capacity-Increasing Cost	5,500,000
MAINTENANCE PROJECTS (2)	
Total Construction Costs	0
Total Soft Costs	0
Total Non-Capacity-Increasing Cost	0
TOTAL PROJECT COSTS/USES	\$5,500,000

(1) Total Construction costs for new roads, road widening, ~~and~~ other non-maintenance and other linear infrastructure projects are included in the mitigation fee payment calculation (see Table 4.9-3).

(2) Examples of maintenance projects include road rehabilitation, re-striping, and resealing. See **Ordinance Chapter 7, Definitions** for full list of maintenance projects that are not required to mitigate.

(3) Initial fee payment calculations made on construction cost and construction contingency cost estimates. Additional fee payments also due on any change orders that add net costs above-and-beyond the initial construction cost contingency estimates.

(4) For illustrative purposes shown as 10% of base construction cost. Contingency (and future Change Orders) will vary by project.

(5) For illustrative purposes shown as 25% of total construction costs.

Cost Item	Cost
NEW ROAD, ROAD WIDENING, OR OTHER NON-MAINTENANCE PROJECTS (1)	
Construction Costs	
Base Construction Costs	\$4,000,000 (3)
<u>Change Orders/Contingency</u>	400,000 (4)
Total Construction Costs	4,400,000
Soft Costs	1,100,000 (5)
Land Acquisition/ROW Costs	0
Total Capacity-Increasing Cost	5,500,000
MAINTENANCE PROJECTS (2)	
Total Construction Costs	0
Total Soft Costs	0
Total Non-Capacity-Increasing Cost	0
TOTAL PROJECT COSTS/USES	\$5,500,000

(1) Total Construction costs for new roads, road widening, and other non-maintenance projects are included in the mitigation fee payment calculation (see Table 9-3).

(2) Examples of maintenance projects include road rehabilitation, re-striping, and resealing. See Ordinance for full list of maintenance projects that are not required to mitigate.

(3) Initial fee payment calculations made on construction cost and construction contingency cost estimates. Additional fee payments also due on any change orders that add net costs above-and-beyond the initial construction cost contingency estimates.

(4) For illustrative purposes shown as 10% of base construction cost. Contingency (and future Change Orders) will vary by project.

(5) For illustrative purposes shown as 25% of total construction costs.

Table 4.9-2: Funding Sources

Cost Item	Amount	% of Total
TUMF/Measure A Funding		
TUMF Fee Revenues	\$800,000	15%
Measure A Funding	<u>300,000</u>	<u>5%</u>
Subtotal	1,100,000	20%
Other Funding	4,400,000	80%
TOTAL PROJECT FUNDING/SOURCES	\$5,500,000	100%

Table 4.9-3: Mitigation Fee Payment Calculation

Cost Item	Amount	Source/ Calculation
TOTAL PROJECT COSTS	\$5,500,000	a See Table 4.9-1
TOTAL CAPACITY-INCREASING CONSTRUCTION COST	4,400,000	b See Table 4.9-1
% of FUNDING FROM OTHER FUNDING SOURCES (1)	80%	c See Table 4.9-2
ELIGIBLE COST BASIS FOR MITIGATION PAYMENT CALCULATION	3,520,000	d = b * c Calculation
MITIGATION FEE PAYMENT DUE FROM LOCAL JURISDICTION (2)	\$176,000	e = d * 5% Calculation

(1) Other funding sources includes all costs not funded by TUMF or Measure A revenues as calculated in Table 4.9-2. In cases where Measure A/TUMF funding is allocated for specific project cost categories, additional calculations and allocations may be appropriate. In these cases, please contact RCA staff and provide documentation of funding restrictions for support on the appropriate mitigation fee payment calculation.

(2) Mitigation fee payment by permitting agency is 5% of eligible construction cost.

Cost Item	Amount	Source/ Calculation	
TOTAL PROJECT COSTS	\$5,500,000	a	See Table 9-1
TOTAL CAPACITY-INCREASING CONSTRUCTION COST	4,400,000	b	See Table 9-1
% of FUNDING FROM OTHER FUNDING SOURCES (1)	80%	c	See Table 9-2
ELIGIBLE COST BASIS FOR MITIGATION PAYMENT CALCULATION	3,520,000	d = b * c	Calculation
MITIGATION FEE PAYMENT DUE FROM LOCAL JURISDICTION (2)	\$176,000	e = d * 5%	Calculation

(1) Other funding sources includes all costs not funded by TUMF or Measure A revenues as calculated in Table 9-2. In cases where Measure A/TUMF funding is allocated for specific project cost categories, additional calculations and allocations may be appropriate. In these cases, please contact RCA staff and provide documentation of funding restrictions for support on the appropriate mitigation fee payment calculation.

(2) Mitigation fee payment by permitting agency is 5% of eligible construction cost.

Example 10 - Combined New Road/Road Rehabilitation Project with 50% Measure A/TUMF Funding

Road project that includes the development of a new segment of road along with rehabilitation of a segment of existing roadway. Road project is 50 percent funded through Measure A or TUMF funds. Total project costs are \$8 million. About \$6 million is associated with the new road, including \$4.4 million in direct construction costs (including the construction cost contingency), \$1.1 million in soft costs, and \$500,000 in land acquisition costs. About \$2 million (25 percent of overall project cost) is associated with rehabilitation of the existing roadway, including \$1.6 million in direct construction costs (including the construction cost contingency) and \$400,000 in soft costs. Please see the example road project cost estimates data (Table 4.10-1), the funding source information (Table 4.10-2), and the mitigation payment calculations (Table 4.10-3) below.

Table 4.10-1: Cost Estimates

Cost Item	Cost
NEW ROAD, ROAD WIDENING, OR OTHER NON-MAINTENANCE PROJECTS, (1) OR OTHER LINEAR INFRASTRUCTURE PROJECTS (1)	
Construction Costs	
Base Construction Costs	\$4,000,000 (3)
<u>Change Orders/Contingency</u>	400,000 (4)
Total Construction Costs	4,400,000
Soft Costs	1,100,000 (5)
Land Acquisition/ROW Costs	500,000
Total Capacity-Increasing Cost	6,000,000
NON-CAPACITY INCREASING	
Total Construction Costs	1,600,000
Total Soft Costs	400,000 (5)
Total Non-Capacity-Increasing Cost	2,000,000
TOTAL PROJECT COSTS/USES	\$8,000,000

(1) Total Construction costs for new roads, road widening, ~~and~~ other non-maintenance and other linear infrastructure projects are included in the mitigation fee payment calculation (see Table 4.10-3).

(2) Examples of maintenance projects include road rehabilitation, re-striping, and resealing. See **Ordinance Chapter 7, Definitions** for full list of maintenance projects that are not required to mitigate.

(3) Initial fee payment calculations made on construction cost and construction contingency cost estimates. Additional fee payments also due on any change orders that add net costs above-and-beyond the initial construction cost contingency estimates.

(4) For illustrative purposes shown as 10% of base construction cost. Contingency (and future Change Orders) will vary by project.

(5) For illustrative purposes shown as 25% of total construction costs.

Cost Item	Cost
NEW ROAD, ROAD WIDENING, OR OTHER NON-MAINTENANCE PROJECTS (1)	
Construction Costs	
Base Construction Costs	\$4,000,000 (3)
<u>Change Orders/Contingency</u>	400,000 (4)
Total Construction Costs	4,400,000
Soft Costs	1,100,000 (5)
Land Acquisition/ROW Costs	500,000
Total Capacity-Increasing Cost	6,000,000
NON-CAPACITY INCREASING	
Total Construction Costs	1,600,000
Total Soft Costs	400,000 (5)
Total Non-Capacity-Increasing Cost	2,000,000
TOTAL PROJECT COSTS/USES	\$8,000,000

(1) Total Construction costs for new roads, road widening, and other non-maintenance projects are included in the mitigation fee payment calculation (see Table 10-3).

(2) Examples of maintenance projects include road rehabilitation, re-striping, and resealing. See Ordinance for full list of maintenance projects that are not required to mitigate.

(3) Initial fee payment calculations made on construction cost and construction contingency cost estimates. Additional fee payments also due on any change orders that add net costs above-and-beyond the initial construction cost contingency estimates.

(4) For illustrative purposes shown as 10% of base construction cost. Contingency (and future Change Orders) will vary by project.

(5) For illustrative purposes shown as 25% of total construction costs.

Table 4.10-2: Funding Sources

Cost Item	Amount	% of Total
TUMF/Measure A Funding		
TUMF Fee Revenues	\$2,000,000	25%
Measure A Funding	<u>2,000,000</u>	<u>25%</u>
Subtotal	4,000,000	50%
Other Funding	4,000,000	50%
TOTAL PROJECT FUNDING/SOURCES	\$8,000,000	100%

Table 4.10-3: Mitigation Payment Calculation

Cost Item	Amount	Source/ Calculation
TOTAL PROJECT COSTS	\$8,000,000	a See Table 4.10-1
TOTAL CAPACITY-INCREASING CONSTRUCTION COST	4,400,000	b See Table 4.10-1
% of FUNDING FROM OTHER FUNDING SOURCES (1)	50%	c See Table 4.10-2
ELIGIBLE COST BASIS FOR MITIGATION PAYMENT CALCULATION	2,200,000	d = b *c Calculation
MITIGATION FEE PAYMENT DUE FROM LOCAL JURISDICTION (2)	\$110,000	e = d * 5% Calculation

(1) Other funding sources includes all costs not funded by TUMF or Measure A revenues as calculated in Table 4.10-2. In cases where Measure A/TUMF funding is allocated for specific project cost categories, additional calculations and allocations may be appropriate. In these cases, please contact RCA staff and provide documentation of funding restrictions for support on the appropriate mitigation fee payment calculation.

(2) Mitigation fee payment by permitting agency is 5% of eligible construction cost.

Cost Item	Amount	Source/ Calculation	
TOTAL PROJECT COSTS	\$8,000,000	a	See Table 10-1
TOTAL CAPACITY-INCREASING CONSTRUCTION COST	4,400,000	b	See Table 10-1
% of FUNDING FROM OTHER FUNDING SOURCES (1)	50%	c	See Table 10-2
ELIGIBLE COST BASIS FOR MITIGATION PAYMENT CALCULATION	2,200,000	d = b * c	Calculation
MITIGATION FEE PAYMENT DUE FROM LOCAL JURISDICTION (2)	\$110,000	e = d * 5%	Calculation

(1) Other funding sources includes all costs not funded by TUMF or Measure A revenues as calculated in Table 10-2. In cases where Measure A/TUMF funding is allocated for specific project cost categories, additional calculations and allocations may be appropriate. In these cases, please contact RCA staff and provide documentation of funding restrictions for support on the appropriate mitigation fee payment calculation.

(2) Mitigation fee payment by permitting agency is 5% of eligible construction cost.

CHAPTER V. MITIGATION FEE FORMS

RCA has four fee submittal forms for Member Agencies to use in submitting information related to fee collection and payment including the Development Mitigation Fee Submittal Form, Qualified Infrastructure Fee Submittal Form, Flood Control Projects Fee Submittal Form, and Civic Projects Fee Submittal Form. The forms are updated before the beginning of each fiscal year by staff. Member Agencies must use the form related to the fiscal year of the payment. All forms can be found in the Document Library of the RCA website (www.wrc-rca.org) under Fees.

A. Development Mitigation Fee Submittal Form

The Development Mitigation Fee Submittal Form is used by Member Agencies to report LDMF fees collected related to residential, commercial, and industrial projects. The form is reviewed and updated annually with the current LDMF fees. Member Agencies should provide all requested information on the form.

The second tab is for reporting exemptions related to development agreements to the RCA.

The third tab is for reporting ADUs and additions. The fourth tab provides instructions on filling out the third tab.

Forms should be emailed to RCA monthly at ldmf-rca@rctc.org even if no fees are remitted for the month. Please remit the form by the 5th day of the following month.

B. Qualified Infrastructure Fee Submittal Form

The Qualified Infrastructure Fee Submittal Form is used by Member Agencies to report LDMF fees related to linear construction contracts ~~for city and county roadways~~. The form includes the report plus a worksheet. The worksheet (tab 2) and related instructions (tab 3) are intended to help Member Agencies determine if the Linear road Pproject contract results in fees which must be remitted to the RCA, or if the contract and related project are exempt. The form is reviewed and updated annually. Member Agencies should provide all requested information on the form and the worksheet.

Forms should be emailed to RCA monthly at ldmf-rca@rctc.org even if no fees are remitted for the month. The worksheet should be remitted as well for all Linear roadway Pprojects even if the project is determined to be exempt. Please remit the forms by the 5th day of the following month.

C. Flood Control Projects Fee Submittal Form

The Flood Control Projects Fee Submittal Form is used ~~by Member Agencies~~ to report LDMF fees related to construction contracts for Riverside County Flood Control related projects. ~~All Member Agencies working on a Flood Control related project where the Member Agency is issuing the contract and funding the project should submit the form and remit the appropriate fee.~~ The form is reviewed and updated annually. ~~Member~~

| ~~Agencies~~Riverside County Flood Control should provide all requested information on the form.

Forms should be emailed to RCA monthly at ldmf-rca@rctc.org even if no fees are remitted for the month. Please remit the form by the 5th day of the following month.

D. Civic Projects Fee Submittal Form

The Civic Projects Fee Submittal Form is used by Member Agencies to report LDMF fees related to all other Member Agency construction contracts besides roadway and Flood Control Projects. The form is reviewed and updated annually with the current LDMF fees. Member Agencies should provide all requested information on the form.

Forms should be emailed to RCA monthly at ldmf-rca@rctc.org even if no fees are remitted for the month. Please remit the form by the 5th day of the following month.

CHAPTER VI. OTHER ISSUES

Other situations which Member Agencies may rarely address are discussed in this chapter. These include the Silverado Conservation Bank, Agricultural Operations, and the Legacy Home Rebate Pilot Program.

A. Silverado Conservation Bank

The Silverado Conservation Bank is a private mitigation area consisting of lands subject to a recorded conservation easement resulting in conservation credits available to satisfy developer fee requirements set forth in the MSHCP.

In accordance with Section 4.6.1 of the MSHCP, RCA entered into a Settlement and Release Agreement with Silverado Conservation Bank (Silverado) dated July 17, 2017, which allows a developer to satisfy its LDMF fee requirements through a private transaction with Silverado wherein the developer and Silverado are free to negotiate an amount that would otherwise be paid to the Member Agency.

A transaction under this program can be used within the jurisdiction of any Member Agency for any project whether for industrial, commercial, or residential projects, provided that such project is required to pay the LDMF fee.

Once a developer has entered into a separate agreement with Silverado to satisfy its LDMF fee requirements through a private transaction with Silverado, Silverado will notify the U.S. Fish and Wildlife Service (Service), the California Department of Fish and Wildlife (CDFW), and the RCA requesting approval for the transaction from the Service and CDFW. The Service and CDFW shall give approval, if appropriate, within ten business days. Thereafter, the RCA will send notice to the local jurisdiction overseeing the project notifying them that the LDMF fee requirements are satisfied by the transaction with Silverado. Developers pay the agreed upon amount to Silverado directly.

B. Agricultural Operations

The MSHCP LDMF that is calculated on Agriculture Operations is governed by Section 6.2 (pages 6-56 through 6-61) of the MSHCP. However, this section is further modified by the 2004 Riverside County Farm Bureau Settlement Agreement (Settlement Agreement).

The MSHCP section 6.2(A) defines agricultural operations as “the production of all plants (horticulture), fish farms, animals and related production activities, including the planting, cultivation and tillage of the soil, dairying, and apiculture; and the production, plowing, seeding, cultivation, growing, harvesting, pasturing and fallowing for the purpose of crop rotation or any agricultural commodity, including viticulture, apiculture, horticulture, and the breeding, feeding and raising of livestock, horses, fur-bearing animals, fish, or poultry, the operation, management, conservation, improvement or maintenance of a farm or ranch and its buildings, tool and equipment; the construction, operation and maintenance of ditches, canals, reservoirs, wells and/or waterways used for farming or ranching

purposes and all uses conducted as a normal part of such Agricultural Operations; provided such actions are in compliance with all applicable laws and regulations.”

The MSHCP provides take authorization by the Service and CDFW for current and a limited amount of future Agricultural Operations, as defined by the MSHCP, throughout the western County and cities and mitigation for biological impacts to Covered Species under the California Environmental Quality Act and National Environmental Policy Act without the need to comply with MSHCP survey, mitigation, and adjacency requirements; Criteria; the Habitat Evaluation and Negotiation Strategy (HANS) process; and MSHCP Mitigation Fee. However, the MSHCP and Settlement Agreement only exempt the expansion of “Existing Agricultural Operations” from the payment of fees that require a discretionary permit when the expansion is (a) less than 50 percent of (1) the existing developed building square footage or (2) the area subject to existing permitted uses on the entire landholding (plus the area subject to uses similar to the proposed use if a discretionary permit was not previously required for the proposed use), or (b) less than two acres in size. “Existing Agricultural Operations” are those lands within MSHCP boundaries actively being used for ongoing Agricultural Operations for at least one of the last five years preceding the Effective Date of the IA. Except for this fee exemption there is no fee exemption for the expansion of Existing Agricultural Operations. The Agriculture Compliance Process Flowchart (Ag Flowchart) provided in the appendices illustrates these processes.

For reference, the Farm Bureau Settlement is also provided in the appendices. Exhibit A to the Farm Bureau Settlement discusses new agricultural operations among other important topics. Please also see the RCA website at www.wrc-rca.org for the Ag Flowchart and all related attachments.

C. Legacy Home Rebate Pilot Program

On March 1, 2021, the RCA Board of Directors adopted Resolution 2021-007, Resolution of the Board of Directors of the Western Riverside County Regional Conservation Authority Adopting an RCA Home Legacy Rebate Pilot Program. For reference the resolution is provided in the appendices.

1. **Rebate** Eligible homeowners may apply to the RCA for a rebate in the amount of the difference between the LDMF at the time of payment and the LDMF as of June 30, 2021, adjusted according to changes in the Consumer Price Index (CPI) for the Riverside-San Bernardino-Ontario metropolitan area.
2. **Eligibility** Eligibility is determined based on ownership of the land, construction of the primary residence, payment made in full, occupancy, and limited to one rebate per applicant. Resolution 2021-007 Exhibit A should be reviewed for eligibility specifics.
3. **Budget** Annually \$70,500 will be set aside in FY 2023 to provide up to 50 rebates. If the funds are exhausted, the RCA Board of Directors

may approve a mid-year budget adjustment or begin a queue for the following fiscal year until the sunset date.

4. **Sunset Date** The pilot program will sunset on June 30, 2025.

CHAPTER VII. DEFINITIONS

DEFINITIONS

(Including Definitions defined in the Fee Ordinances):

“Accessory Dwelling Unit” means an accessory dwelling unit as defined by California Government Code section 65852.2(j)(1), or as defined in any successor statute. (see Chapter III, Section B.1.b.). Per California Government Code section 65852.2(j)(1) an “accessory dwelling unit means an attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multifamily dwelling is or will be situated.”

“Agriculture Operations” The MSHCP section 6.2(A) defines agricultural operations as “the production of all plants (horticulture), fish farms, animals and related production activities, including the planting, cultivation and tillage of the soil, dairying, and apiculture; and the production, plowing, seeding, cultivation, growing, harvesting, pasturing and fallowing for the purpose of crop rotation or any agricultural commodity, including viticulture, apiculture, horticulture, and the breeding, feeding and raising of livestock, horses, fur-bearing animals, fish, or poultry, the operation, management, conservation, improvement or maintenance of a farm or ranch and its buildings, tool and equipment; the construction, operation and maintenance of ditches, canals, reservoirs, wells and/or waterways used for farming or ranching purposes and all uses conducted as a normal part of such Agricultural Operations; provided such actions are in compliance with all applicable laws and regulations.”

“City/County Civic Projects” means all non-linear~~road~~ City and County projects, including City/County administrative facilities, jails, courts, juvenile facilities, parks, libraries, and all other facilities that serve the public.

“City/County Road Projects” means all City and County road projects.

“Construction Cost” means and includes the cost of the entire construction of the roadway project, including all supervision, materials, supplies, labor, tools, equipment, transportation and/or other facilities furnished, used or consumed, without deduction on account of penalties, liquidated damages or other amounts withheld from payment to the contractor or contractors, but such cost shall not include the Consulting Engineer/Architect’s fee, or other payments to the Consulting Engineer/Architect and shall not include cost of land or ROW and Easement acquisition.

“Credit” means a credit allowed pursuant to the Fee Ordinances, which may be applied against the development impact fee paid.

“Development” means a human-created change to improved or unimproved real estate, including buildings or other structures, mining, dredging, filling, grading, paving, excavating, and drilling.

“Development Project” or **“Project”** means any project undertaken for the purpose of development pursuant to the issuance of a building permit by the City/County pursuant to all applicable ordinances, regulations, and rules of the City/County and state law.

“Fuel modification area” means an area established adjacent to structures or roads in which highly combustible native plants, invasive introduced, or ornamental plants are modified and/or totally replaced with fire resistant or drought resistant alternatives, or areas subject to hazardous abatement orders.

“Gross Community-Serving Area/Acres” means the area of residential projects that provide infrastructure, improvements, and amenities that go beyond only serving project residents and hence are “community-serving”. This includes, but is not limited to, roads that serve multiple projects, parks that serve more than one residential project, parking that serves other uses/developments etc. The acreage associated with these improvements/amenities are part of the gross project acreage but distinct from project resident-serving improvements/amenities and the gross residential area.

“Gross Project Area/Acres” means is the total or gross areas of the project. This overall acreage can only be reduced under unique circumstances.

“Gross Residential Area/Acres” means the total area of the project dedicated to residential land uses and includes residential buildings as well as “Project Resident-Serving” Infrastructure/Improvements/Amenities.

“Hazardous vegetation” means vegetation that is flammable and endangers the public safety by creating a fire hazard, including, but not limited to, seasonal and recurrent weeds, stubble, brush, dry leaves, and tumbleweeds.

“Junior Accessory Dwelling Unit” means a junior accessory dwelling unit as defined by California Government Code section 65852.22(h)(1), or as defined in any successor statute. (see Chapter III, Section B.1.b.).

“Linear Projects” means all infrastructure projects of a linear nature constructed by Member Agencies, such as pipelines. Linear PSE projects with differentiation in payment amount between permanent and temporary impacts of the project for participating special entities means regional utility projects that will be constructed to serve Development, such as major trunk lines.

“Local Development Mitigation Fee” or **“Fee”** means the development impact fee imposed by the Fee Ordinances.

“Maintenance Projects” means projects that include, but are not limited to, pavement repairs, tree trimming, bridge maintenance, and pavement restriping and roadway reconstruction which do not add new lanes.

“Manufactured slope” means a slope created by natural landform alteration (grading), by cutting or filling a natural slope, or importing fill material to create a slope.

“Member Agency” or “Member Agencies” means those Cities and the County that are signatories to the RCA Joint Powers Agreement.

“Multiple Species Habitat Conservation Plan” or “MSHCP” means the Western Riverside County Multiple Species Habitat Conservation Plan

“MSHCP Conservation Area” has the same meaning and intent as such term is defined and utilized in the MSHCP.

“Non-Linear Projects” means all PSE projects that are non-linear in form.

“Ordinance” means the Fee Ordinance adopted by the Cities and the County to implement the MSHCP Local Development Mitigation Fee.

“Private Projects” means those projects where the primary project purpose is for use by households, business, or other private entities (i.e. not accessible to the public except where allowed by private owner/renter). This category also includes Private Projects that receive public support (e.g., support through direct public investments in infrastructure, ground leases of publicly owned land, or direct investment of public dollars in projects such as affordable housing).

“Project Area” means the total area, measured in acres, within the Development Project including, without limitation, any areas to be developed as a condition of the Development Project (e.g. fuel modification areas and temporary impacts (excluding staging areas)). Except as otherwise provided herein, the Project Area is the area upon which the project will be assessed the LDMF. See Chapter 2.E. of this Manual for additional guidance for calculating the Project Area.

“Project Resident-Serving Infrastructure/Improvements/Amenities” means Infrastructure/improvements, and amenities that only serve project residents and include, but are not limited to, roads, parks, and non-residential buildings that only serve project residents.

“Public Projects” means all City/County Civic Projects and all City/County Road Projects. These Public Projects include infrastructure (roads and linear) projects, civic projects, and Riverside County Flood Control District projects.

“Revenue” or “Revenues” means any funds received by the City/County pursuant to the provisions of the Fee Ordinances for the purpose of defraying all or a portion of the cost of acquiring and preserving vegetation communities and natural areas within the City/County and the region which are known to support threatened, endangered, or key sensitive populations of plant and wildlife species.

“Riverside County Flood Control District Projects” means all Riverside County Flood Control and Water Conservation District projects.

“Second Units and Guest Quarters” shall be treated the same as Additional Dwelling Units for the purposes of calculation of the Local Development Mitigation Fee and shall follow all guidance in this manual related to Additional Dwelling Units.

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“Usable Square Footage” means habitable (conditioned) space.

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“Western Riverside County Regional Conservation Authority” or **“RCA”** means the governing body established pursuant to the MSHCP that is delegated the authority to oversee and implement the provisions of the MSHCP.

Any capitalized term not otherwise defined herein shall carry the same meaning and definition as that term is used and defined in the MSHCP.

CHAPTER VIII. APPENDICES

The following items are included as appendices to add clarity to items discussed herein.

1. Pages 41 through 46 of the Implementing Agreement which refer to the Member Agencies obligations of the western Riverside County cities and the County of Riverside;
2. The Agriculture Compliance Process Flowchart;
3. The 2004 Riverside County Farm Bureau Settlement Agreement; and
4. Resolution 2021-007 – Adopting an RCA Legacy Home Rebate Pilot Program.



MSHCP Mitigation Fee Implementation Manual

February 2023



RCA's MSHCP MITIGATION FEE IMPLEMENTATION MANUAL

The Western Riverside County Regional Conservation Authority ("RCA") was formed in 2004 to achieve one of America's most ambitious environmental efforts, the Western Riverside County Multiple Species Habitat Conservation Plan ("MSHCP" or the "Plan"). As the nation's largest habitat conservation plan of its kind, the MSHCP strengthens the sustainability and quality of life in western Riverside County by nurturing economic development opportunities, alleviating traffic congestion, protecting natural resources, and improving air quality.

This MSHCP Mitigation Fee Implementation Manual ("Manual") provides direction to local jurisdictions under the MSHCP concerning their obligations under the MSHCP and Permits regarding the imposition, collection, accounting, remittance, and calculation of the Local Development Mitigation Fee. The Local Development Mitigation Fee Program is administered by the RCA. The instructions in this Manual are intended to be consistent with and based on the MSHCP, the Implementing Agreement (IA), and the 2020 Nexus Study. The Manual is also intended to provide direction to Member Agencies concerning their Fee Ordinances and any related Resolutions. For questions and clarifications, please contact the RCA.

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French Valley Wildlife Area

I. INTRODUCTION



CHAPTER I. INTRODUCTION

A. Background on MSHCP and Implementing Agreement

The MSHCP, which became effective on June 22, 2004, when the federal incidental take permit was issued, is a comprehensive, multi-jurisdictional Habitat Conservation Plan (HCP) focusing on the permanent conservation of approximately 500,000 acres and the protection of 146 species, including 33 that are currently listed as threatened or endangered. The MSHCP was developed in response to the need for future growth opportunities in western Riverside County while addressing the requirements of the State and federal Endangered Species Acts. The MSHCP serves as an HCP pursuant to Section 10(a)(1)(B) of the federal Endangered Species Act of 1973 as well as a Natural Communities Conservation Plan (NCCP) under the NCCP Act of 2001. The MSHCP streamlines these environmental permitting processes by allowing the participating jurisdictions to authorize “take” of plant and wildlife species identified within the Plan Area and has saved taxpayers funds by expediting the construction of more than 30 major freeway and road improvements in Riverside County valued at more than \$5 billion. At the same time, Plan implementation provides a coordinated MSHCP Conservation Area and implementation program to preserve biological diversity and maintain the region’s quality of life.

The MSHCP, the associated Implementing Agreement (“IA”) (See Chapter VIII, Appendices for pages from the IA), and Incidental Take Permit collectively determine a set of conservation actions that must be taken to meet the terms of the Incidental Take Permit in order to continue to benefit from the regulatory streamlining and other benefits of the MSHCP. This includes the identification of the responsible parties, including the responsibilities of the Local Permittees.¹ One of the key requirements of the MSHCP, IA, and Incidental Take Permit (consistent with the requirements of the federal Endangered Species Act) is the provision of adequate funding by Local Permittees to the Implementing Entity (the Western Riverside County Regional Conservation Authority²) (“RCA”) to conduct their portion of the conservation actions identified in the MSHCP.

B. Purpose of MSHCP and Local Development Mitigation Fee

The purpose of the Local Development Mitigation Fee (“LDMF”) is to contribute to the funding required to implement the MSHCP and, as a result, help maintain the Incidental Take Permit for new private and public development in western Riverside County under

¹Local Permittees include the western Riverside County Cities, the County of Riverside (County), Riverside County Flood Control and Water Conservation District (Riverside County Flood Control District), Riverside County Regional Park and Open-Space District, Riverside County Department of Waste Resources, and Riverside County Transportation Commission (RCTC).

²The Western Riverside County Regional Conservation Authority is a joint powers authority established in 2004 to implement the MSHCP.

the federal and State of California (State) Endangered Species Acts. Maintaining the Incidental Take Permit is necessary to allow for future development, and without the development community paying for the cost of the MSHCP, individual applicants would need to apply independently for development approval under federal and State law if the project impacts a threatened or endangered species. The Federal Endangered Species Act specifically requires that the applicant for Incidental Take Permit “ensure that adequate funding for the [MSHCP] will be provided.”³ The LDMF helps provide the regional benefits of streamlined economic development in western Riverside County and the protection of contiguous open spaces that serve as a community amenity to residents, workers, and visitors.

New development in the MSHCP Area will directly, indirectly, or cumulatively affect species and habitat in western Riverside County. Because of this, the County of Riverside along with several other agencies prepared and adopted the MSHCP to provide a regional, streamlined approach to benefit future development of all types in western Riverside County, including the development and improvements envisioned under the numerous General Plans and the Regional Transportation Improvement Program. The requirements of the MSHCP (habitat acquisition, management and monitoring, and program administration) are a direct result of the regional approach to mitigation that is engendered by all new development in the Plan Area under the pertinent environmental regulations. Consequently, the LDMF applies to all new development in western Riverside County whether or not the development is within a Criteria Cell.

The overall permit period was set at 75 years, ending in 2079. To cover ongoing management and monitoring costs beyond the duration when mitigation fees will be collected, the establishment of a non-depleting endowment is required. In other words, the endowment must be sufficient such that expected average interest revenues (after inflation and transaction costs) can cover the ongoing costs associated with management and monitoring in perpetuity. The endowment must be fully established by the end of the land acquisition period as it is assumed that no more mitigation fees will be collected after that time.

Finally, the LDMF is required by the MSHCP (MSHCP § 8.5.1) and the IA (IA §13.2(A)). Also, to be eligible for Measure A western County local streets and roads funds, Member Agencies are required to participate in the MSHCP. This is a requirement of the Measure A Ordinance adopted by Riverside County voters in November 2002. Annually, RCA certifies Member Agency compliance to RCTC.

C. Public Projects

A number of Public Projects also pay fees related to the MSHCP in order to mitigate the impact of public projects in accordance with the terms of the IA. These different types of

³See Section 1539(a)(2)(B)(iii) of the Federal Endangered Species Act.

Public Projects and the fees related to them are discussed more in the later chapters of this Manual.

D. RCA Administration of Fee Program

Section 2 of the Member Agencies' Fee Ordinance provides that the RCA is appointed as the Administrator of the Fee Ordinance. The RCA is authorized to receive all fees generated from the LDMF within the Cities or County, and to invest, account for, and expend such fees in accordance with the provisions of the Plan, IA, and Fee Ordinances. The RCA's Executive Director or his/her designee is authorized to act on behalf of the RCA as the Administrator of the LDMF Program. Furthermore, the RCA shall have the final determination regarding collection of the fee, the appropriate methodology to calculate the fee based on the information provided, and the interpretation of this Manual.

E. Purpose of Implementation Manual

The purpose of this Manual is to provide those jurisdictions and agencies that are participants in the MSHCP and IA with direction and policies for implementation of the LDMF Ordinance and Resolution adopted by each of the member jurisdictions. The Manual specifies implementation and responsibilities for the LDMF Ordinance and Resolution. The instructions in this Manual shall control the administration of the LDMF except where directly in conflict with the adopting Ordinance. Capitalized terms in this Manual shall have the same meaning as in the adopting Ordinance.

The RCA may, from time to time, amend this Manual as necessary to add additional direction, clarification, or guidance regarding implementation of the LDMF Ordinance.



Temescal Toscana Site

II. LOCAL JURISDICTION INSTRUCTIONS



CHAPTER II. LOCAL JURISDICTION INSTRUCTIONS

A. Legal Authority

The MSHCP notes that “new development affects the environment directly through construction activity and cumulatively through population bases that result from Development.” As a result, the Member Agencies are required to implement a LDMF that was expected to represent one of the primary sources of funding for the implementation of the MSHCP. The LDMF has been developed in accordance with California Government Code Section 66000 et seq. (the “Mitigation Fee Act”) that “allows cities and counties to charge new development for the costs of mitigating the impacts of new development.” Fees charged to Public Projects have been imposed pursuant to the IA.

The 2020 Nexus Study Chapter 8 (pages 56-59) discusses the legally required findings on the relationship between the fee and development. The relationship is more than simply disturbance of habitat; it is the regional impacts on habitat from development. The 2020 Nexus Study notes that new development in the Plan Area will directly, indirectly, or cumulatively affect species and habitat in western Riverside County. Expanding a home so more people can live there or more activities can take place or adding an Accessory Dwelling Unit (ADU) or Second Unit creates cumulative regional impacts; the MSHCP mitigates these impacts and streamlines the process for the infrastructure and development to accommodate the resulting growth.

B. Member Agency Obligations under MSHCP and Implementation Agreements

As set forth in Section 11.1 of the IA, the Member Agencies and the RCA have selected legal mechanisms to ensure implementation of the terms of the MSHCP and the IA.

1. Enactment of Fee Ordinance and Resolution

- a. Pursuant to Sections 11.1.1 and 11.1.2 of the IA, the Member Agencies shall adopt an Ordinance imposing the LDMF in substantially the form proposed by the RCA and the related Resolution within 90 days’ notice from the RCA. The Member Agencies shall also adopt any updated Fee Ordinance or Resolution within 90 days’ notice from the RCA.

2. Imposition of Fee

- a. The LDMF will be paid no later than at the issuance of a building permit. Notwithstanding any other provision of the Municipal or County Ordinance, as relevant, no building permit shall be issued for any Development Project unless the LDMF applicable to such Development Project has been paid. In a case where a building permit is not required, the LDMF shall be collected no later than the issuance of a grading

permit. The amount of the Fee shall be calculated in accordance with this Manual.

- b. Member Agencies may accept prepayment of fees at their own discretion (and allowed by Ordinance) for applicants wishing to pay the current fee in effect at the time of payment.
- c. In lieu of the payment of the LDMF as provided above, the Fee for a Development may be paid through a Community Facilities District, provided that such arrangement is approved by the RCA in writing.

3. **Remittance of Fees to the RCA**

- a. Timing. Pursuant to Section 8.5 of the MSHCP, Sections 12.2.1 and 12.2.2 of the IA, and Sections 19.A and 19.B of the Joint Exercise of Powers Agreement (JPA), the Member Agencies shall remit all LDMFs which are collected or should have been collected for any Development, as defined in the MSHCP, and contributions for Public Projects to the RCA on a monthly basis. Payment to the RCA shall be made no later than 90 days after the LDMFs were collected or should have been collected. Payment to the RCA shall be made no later than 90 days after the construction contract for the Public Project is approved by the Member Agency.
- b. Documentation and Records Requirements. The Member Agencies shall maintain complete and accurate records with respect to all LDMF revenues collected under their LDMF Ordinances and the calculation of contributions for all Public Projects. All such records shall be complete and allow for recalculation and validation.
- c. Annual Audits. The Member Agencies shall allow a representative of the RCA during normal business hours to examine, audit, and make transcripts or copies of such records.

4. **Imposition of CPI increases and other Fee Adjustments**

- a. Automatic Annual Fee Adjustment. The RCA will provide the Member Agencies with an automatic annual fee adjustment for the fee established by Resolution based on the average percentage change over the previous calendar year set forth in the Consumer Price Index for the Riverside-San Bernardino-Ontario metropolitan area or a replacement CPI index issued by the federal government. The Member Agencies shall implement the fee adjustment no later than

July 1st or 60 days after receiving notice from the RCA, whichever is later. All LDMF fees collected after a fee increase will pay the new fee even if an invoice was created prior to the fee increase.

- b. Periodic Fee Adjustment. The fee schedule may be periodically reviewed, and the amounts adjusted by the RCA Board of Directors. By amendment to the fee Resolution referenced in the Fee Ordinance, the fees may be increased or decreased to reflect the changes in actual and estimated costs of the MSHCP including, but not limited to, management and monitoring, endowment, and acquisition costs. The adjustment of the fees may also reflect changes in the facilities required to be acquired, in estimated revenues received pursuant to the Fee Ordinances, as well as the availability or lack thereof of other funds with which to implement the MSHCP. The Member Agencies shall adopt a resolution implementing the fee adjustment no later than 60 days after receiving notice from the RCA.

C. Fee Credits and Fee Credit Agreements

1. Fee Credits

When a Member Agency determines that a request for a fee credit ("Fee Credit") is appropriate for on-site conservation which meets the standards in Section 2 below, the Member Agency shall notify the RCA's Executive Director ("Executive Director") in writing as part of the Joint Project Review ("JPR") Application. This notification shall include all relevant documentation related to the project, including project description, map, criteria cells, and designation of land proposed for conservation.

Fee Credits shall be applied only to the Project they are associated with in the JPR. Fee Credits shall only be provided to the underlying property owner or development company at the time the LDMF applies and are not transferrable to other entities, individuals, or development projects. Fee Credits shall not be applied retroactively. Fee Credits shall not be granted for on-site conservation that would not be considered developable land in the absence of the MSHCP. Some examples of such undevelopable land include that which could not be developed under the California Environmental Quality Act, land with topography consisting of 50 percent or greater slopes, land that is in a flood way, or land that could not be developed due to other local ordinance restrictions. In cases where both developable and undevelopable land are included in on-site conservation, only that land that is developable in the absence of the MSHCP shall be considered for Fee Credit.

2. Standards. Fee credits shall meet the following standards:

- a. Proposed conservation land must be within Criteria Cells and contribute to Reserve Assembly;

- b. Conservation land must be of a size, configuration, and location such that it can be managed as part of the MSHCP Conservation Area;
- c. In addition to the exclusions identified in Section 1 above, fuel modification/hazardous vegetation areas, manufactured slopes, storm drain or detention basin outfalls, constructed slope protection, utility easement areas, and Best Management Practices such as bioswales, infiltration trenches, and basins will be excluded from Fee Credits and will not be accepted for management by the RCA.

3. **Appraisal**

- a. The RCA or Member Agency will obtain an appraisal for the property being offered in exchange for the Fee Credit. The cost of the appraisal will be borne by the entity that commissions the appraisal.
- b. The appraisal shall be prepared by a licensed appraiser and meet the standards in Section 6.1.1 of the MSHCP. The property owner may select the appraiser from an approved list of appraisers used by the RCA.

4. **Decision**

- a. Member Agency – Approval Authority up to \$200,000. A Member Agency may approve Fee Credits up to \$200,000. The RCA will assist the Member Agency in making a determination on the Fee Credits if requested. Notwithstanding the above, the RCA is authorized to review and audit a Member Agency's approval of Fee Credits hereunder. In the event of a disagreement between RCA and a Member Agency regarding Fee Credits provided under this Section 4.a., the matter shall be referred to the RCA Board of Directors for consideration and further action.
- b. Board of Directors – Approval Authority Over \$200,000. All Fee Credits over \$200,000 require approval of the RCA Board of Directors. The Executive Director shall place the Fee Credit request on the agenda for the next regularly scheduled meeting of the RCA Board of Directors for which an agenda has not been posted.

- 5. **Reporting** The Member Agency will provide the RCA with a copy of all Fee Credit agreements within 30 days of execution. The Executive Director shall provide monthly reports to the RCA Board of Directors of all notifications concerning Fee Credits.

6. **Conveyance of Conservation Land.** Conservation land associated with approved Fee Credits shall be conveyed in fee title to the RCA or another entity or organization lawfully authorized to acquire and hold conservation easements pursuant to Civil Code Section 815.3. The conservation land shall be free of encumbrances that could adversely impact the ability to manage the conservation land in accordance with the MSHCP. Conveyance of the conserved land must occur prior to the point in time when MSHCP Fee payment is due for the Project, and the Member Agency shall not issue occupancy permits for the Project until such time as the conservation land has been conveyed and any Fee balance has been paid to the RCA. If a non-member agency holds title to the land, the entity must enter into a Management Memorandum of Understanding with the RCA agreeing to manage the land in accordance with the MSHCP prior to issuance of a grading permit for the Project.

D. Fee Exemptions

The following types of construction shall be exempt from the LDMF:

1. Reconstruction or improvements to an existing Development Project, that were damaged or destroyed by fire or other natural causes, provided that the reconstruction or improvements do not result in additional Usable Square Footage (for residential, see Chapter III, Section B.1.b.Type IV).
2. Rehabilitation or remodeling to an existing Development Project, provided that the rehabilitation or remodeling does not result in additional Usable Square Footage (for residential, see Chapter III, Section B.1.b.Type IV).
3. Accessory Dwelling Units, but only to the extent such fee is exempted under state law (California Government Code section 65852(f)(3). (see Chapter III, Section B.1.b.Type III).
4. Junior Accessory Dwelling Units, but only to the extent such fee is exempted under state law (California Government Code section 65852.22. (see Chapter III, Section B.1.b.Type III).
5. Existing structures where the use is changed from an existing permitted use to a different permitted use, provided that no additional improvements are constructed and does not result in additional Usable Square Footage.
6. Certain Agricultural Operations as allowed by the MSHCP, as amended. (see Chapter VI, Section B.)

7. Vesting Tentative Tract Maps entered into pursuant to Government Code section 66452 et seq. (also, Government Code section 66498.1 et seq.) and Development Projects which are the subject of a development agreement entered into pursuant to Government Code section 65864 et seq., prior to the effective date of a Member Agency's original LDMF Ordinance, wherein the imposition of new fees are expressly prohibited, provided that if the term of such a vesting map or development agreement is extended by amendment or by any other manner after the effective date of the Member Agency's original LDMF Ordinance, the Fee shall be imposed.

Except as exempted above, all projects are required to make a mitigation payment/contribution and where no mitigation payment process is specified, the project will pay the updated per acre mitigation fee.

E. Project Area

As defined in the Fee Ordinance, the "Project Area" means the total area, measured in acres, within the Development Project including, without limitation, any areas to be developed as a condition of the Development Project (e.g., fuel modification areas and temporary impacts (excluding staging areas)). The Project Area shall be calculated in accordance with the following guidelines:

1. The Project Area shall be determined by the Member Agency staff based on the subdivision map, plot plan, and other information submitted to or required by the Member Agency.
2. An applicant may elect, at his or her own expense, to have a Project Area dimensioned, calculated, and certified by a registered civil engineer or licensed land surveyor. The engineer or land surveyor shall prepare a wet-stamped letter of certification of the Project Area dimensions and a plot plan exhibit thereto that clearly delineates the Project Area. Upon receipt of the letter of certification and plot plan exhibit, the Member Agency shall review and, if approved, will calculate the LDMF required to be paid based on the certified Project Area.
3. Where construction or other improvements on Project Area are prohibited due to legal restrictions on the Project Area, such as Federal Emergency Management Agency designated floodways or areas legally required to remain in their natural state, that portion of the Project Area so restricted shall be excluded for the purpose of calculating the LDMF.

F. Developer Refunds and Appeals

Under certain circumstances, such as double payment, expiration of a building permit, or fee miscalculation due to clerical error, an applicant may be entitled to a refund. Refunds

will be reimbursed by the end of the fiscal year on a first come, first served basis, depending upon the net revenue stream. Refunds will only be considered reimbursable if requested within three (3) years of the original LDMF payment. In all cases, the applicant must promptly submit a refund request with proof of LDMF payment to the RCA if the RCA collected the LDMF, or if collected by a local jurisdiction, the refund request shall be submitted to that local jurisdiction, which will subsequently forward the request to the RCA for verification, review, and possible action.

1. **Expiration of Building Permits.** If a building permit should expire, be revoked, or is voluntarily surrendered and is, therefore voided and no construction or improvement of land has commenced, then the applicant may be entitled to a refund of the LDMF collected which was paid as a condition of approval, less administration costs. Any refund must be requested within three (3) years of the original payment. The applicant shall pay the current LDMF in effect at the time in full if s/he reapplies for the permit.
2. **Double Payments.** On occasion due to a clerical error, a developer has paid all or a portion of the required LDMF for a project twice. In such cases, a refund of the double payment may be required if the request is made within three (3) years of the original payment.
3. **Balance Due.** When the LDMF is incorrectly calculated due to a Member Agency's clerical error, it is the Member Agency's responsibility to remit the balance due to the RCA. The error must be discovered within three (3) years of the original payment for the Member Agency to be held accountable. The amount due can be remitted through alternate methods agreed to by the RCA Executive Committee. If first approved through RCA staff in writing, the calculation is not subject to additional review.

G. Options for Administrative Add-On Costs to Fees

In the Fee Resolution mentioned in the Fee Ordinance, the Member Agencies are permitted to add an additional cost to the LDMF schedule to cover the Member Agency's costs of imposing, administering, collecting, and remitting the fees. The Member Agencies may not recover the costs of administering the provisions of their LDMF Ordinance using the LDMF revenues generated by them through said Ordinance.

H. Public Project Fees

Public Projects can be divided into four project types: road projects, linear projects (collectively referred to as infrastructure projects), civic projects, and Riverside County Flood Control District Projects.

1. **City/County Road Projects.** The Member Agencies shall contribute five (5) percent of the facility construction costs for City/County roads

for impacts related to City/County roadways to the RCA as set forth herein.

- a. The five (5) percent contribution shall apply to the construction of new roads, the widening of existing roads, or other improvements which increase roadway throughput.
 - b. Maintenance projects, as defined herein (see Chapter 7, definitions), are exempt from the five (5) percent contribution.
 - c. The five (5) percent does not apply to:
 - i. Projects, or portions thereof, paid for by the existing Measure A (contribution already paid directly by RCTC); and
 - ii. Projects, or portions thereof, paid for by TUMF (contribution already paid directly by the Western Riverside Council of Governments (WRCOG)).
 - d. The Member Agency will include the payment of MSHCP fees within its grant applications to the Federal Highway Administration.
 - e. Only contributions for the Caltrans-funded portion of a Caltrans highway project shall be exempted from the Public Project fee. Caltrans contributions are covered pursuant to MSHCP section 8.4.4 (pages 8-11 & 8-12).
2. **City/County Linear Projects (Infrastructure).** The Member Agencies shall contribute five (5) percent of the facility construction costs for City/County linear infrastructure projects for impacts related to the project. Linear projects are treated the same as road projects. (See Chapter 2, Section H.1. above).
 3. **City/County Civic Projects.** The Member Agency will contribute a per acre mitigation fee based upon the current commercial/industrial fee for these types of facilities.
 4. **Riverside County Flood Control District Projects.** Riverside County Flood Control District will contribute mitigation through payment of three (3) percent of total capital costs for a Covered Activity. Such payment may be offset through acquisition of replacement habitat or creation of new habitat for the benefit of Covered Species, as appropriate. Such mitigation shall be implemented prior to impacts to Covered Species and their habitats.

I. Audit

Pursuant to the JPA, the Member Agencies shall maintain complete and accurate records with respect to all LDMFs collected under their LDMF Ordinance and the calculation of contributions for all Public Projects. All such records shall be complete and allow for recalculation and validation. The Member Agencies shall allow a representative of the RCA during normal business hours to examine, audit, and make transcripts or copies of such records.

J. Late Payments

Starting January 1, 2008, if a Member Agency fails to remit the monthly payment within 90 days as required in Section B.3.a above, any delinquent amounts will be assessed interest at the rate of the RCA's prevailing rate for invested funds. RCA invests with the Riverside County Treasurer Tax Collector. Therefore, RCA's prevailing rate is the County Treasurer's Pooled Investment Fund Book Yield.

K. No Effect on Withdrawal

The obligations imposed under this Manual on the Member Agencies shall not affect any more strict obligation imposed on each of them under Section 22.1 of the IA pertaining to withdrawal from the MSHCP.

III. MITIGATION PAYMENT REQUIREMENTS



Burrowing Owl



CHAPTER III. MITIGATION PAYMENT REQUIREMENTS

New private, public, and other development activity in western Riverside County must comply with the MSHCP, IA, Ordinances, and Resolutions and make the appropriate mitigation payment in order to obtain grading permits and/or building permits. This Chapter describes the mitigation payment mechanisms and formulas that apply to different types of projects. It first defines three broad project categories and then provides more detail on the different mitigation payment calculations that apply to different types of projects under these broad categories. The subsequent **Chapter IV** provides illustrative fee calculations for Private and Public Project examples to clarify the appropriate calculation of mitigation payments.⁴ RCA staff is available to answer questions about mitigation payment requirements for a specific project.

A. General Project Categories

All projects fall into one of three (3) general categories as described below. Local Permittees should first determine which general category any project falls under.

1. Private Projects

Private Projects include projects where the primary project purpose is for use by households, businesses, or other private entities (i.e. not accessible to the public except where allowed by a private owner/renter). These projects include homes, apartments, offices, industrial buildings, and retail stores, among others. This category also includes Private Projects that receive public support (e.g., support through direct public investments in infrastructure, ground leases of publicly owned land, or direct investment of public dollars in projects such as affordable housing).

Private Projects often require the development of public infrastructure, improvements, and amenities (e.g., streets, parks, and community buildings) by the project developer. In these cases, the Private Project developer will be responsible for making payments for the private and public components of the project. As discussed in more detail in subsequent sections, the mitigation fee payment calculation for privately developed public infrastructure, improvements, and amenities depends on the type of project (residential versus non-residential) and the nature and role of the improvements (whether they solely serve project residents or serve a broader community).

2. Public Projects

Public Projects include projects whose primary goal is to provide publicly accessible/useable infrastructure, improvements, or other amenities. Public Projects include a broad range of project types including transportation, flood control, water,

⁴All projects are required to make mitigation payments, except where specifically exempted in the Fee Ordinance.

wastewater, stormwater, parks, community centers, and other public buildings, among others.

Some Public Projects will involve the private sector. Private sector involvement could be through design, construction, operation, and/or funding. For mitigation purposes, these projects are considered Public Projects and are treated the same from a mitigation fee perspective.⁵

3. Participating Special Entities (PSE) Projects

Some types of projects can obtain the MSHCP benefit granting Take Authorization by participating as Participating Special Entities (“PSE’s”). This is a third project category and its mitigation payment requirements are described separately, though in many ways PSE projects are treated similarly to Public Projects.

B. Private Projects

This section categorizes the different types of Private Projects and the associated mitigation payment requirements. Private project mitigation payments are determined by the MSHCP LDMF for the current fiscal year and project characteristics. Chapter IV provides illustrative examples of different types of Private Projects to further clarify and support the calculation of the appropriate mitigation payment.

1. Private Project Types

Private Projects are further distinguished into three (3) types (along with some sub-types). In all cases, mitigation occurs through mitigation fee payment, though as described further below the mitigation fee type and calculation varies for these different types.

a. Non-Residential

The non-residential category of Private Projects encompasses the full and broad range of Private Projects that do not incorporate residential development. Uses include all commercial, industrial, and any other private non-residential projects.

b. Residential

The residential category of Private Projects covers the full range of residential development projects, including, but not limited to, residential subdivisions, apartment complexes, infill residential projects, affordable housing projects, single homesite developments, mobile homes, ADUs, and additions and renovations. Residential units do not include hotels, motels, congregate care residential facilities or individual spaces within

⁵As described above under Private Projects and explained in more detail later, when public infrastructure/improvements/amenities are part of a Private Project, the mitigation for the public part of the Private Project is incorporated into the Private Project mitigation requirement.

recreational vehicle parks. Mixed-use Private Projects (projects that combine residential and commercial/industrial uses) are addressed distinctly, as described below.

Because of the variation in the type and extent of public infrastructure, improvements, and amenities developed as part of private residential projects, distinctions between different types of residential projects are required. Distinctions are also required as State law limits and specifies the application of mitigation fees to ADUs.

- **Type I. Residential Development with Resident-Serving Public Improvements Only.** Residential projects whose public infrastructure, improvements, and amenities only serve project residents (e.g., in-tract roads, resident clubhouses, pocket parks, and parking for project resident/guest use) and do not provide broader community access or benefits.
- **Type II. Residential Development with Community-Serving Public Improvements.** Residential projects that include the development of public infrastructure, improvements, and amenities that serve more than project residents alone; e.g., backbone infrastructure such as roads that serve beyond the project residents or parks and amenities that serve more than just the new residential units.
- **Type III. Accessory Dwelling Units or Second Units.** State law restricts the imposition of mitigation fees on ADUs of less than 750 square feet and provides a formula for ADUs above this size. ADUs are considered a separate dwelling unit even if built within the existing dwelling unit. ADUs built at the time a tract is first built do not add to the number of units for the density calculation. Both the main home and the ADU have their own separate fee. At the time this manual was adopted, Government Code 65852.2(f)(3)(A) governed the fee for ADUs. Any amendments to this code shall therefore amend the methodology for calculating the LDMF on ADUs.
- **Type IV. Additions and Renovations.** The LDMF fee shall be paid for residential additions and renovations that add attached or detached Usable Square Footage beyond what currently exists on the property, if the LDMF was not previously paid on the property. The LDMF will be calculated by applying the same methodology used for Type III ADUs. If the LDMF fee was previously paid on the residential property, no additional fees are required for additions or renovations to the primary dwelling unit even if additional Usable Square Footage is added.

c. Mixed-Use Projects

The mixed-use category of Private Projects encompasses projects that include private residential and private non-residential uses. The mixed-use project category is divided into two types because of the two distinct mixed-use project forms – horizontally mixed-use and vertically mixed-use.

- **Type I. Horizontally Mixed-Use Projects.** Mixed-use projects where a distinct portion of the project land area is developed as residential and a distinct portion as non-residential. For example, a project that includes a residential subdivision and neighborhood shopping center.
- **Type II. Vertically Mixed-Use Projects.** Mixed-use projects where one or more land use is developed vertically above another. For example, a project where apartment units are developed above ground floor retail.

2. Private Project Mitigation Fee Schedule

The 2020 Nexus Study developed a consistent per gross acre mitigation fee. For residential projects, this per gross acre fee was then translated into per residential unit fees for three different residential development density categories (to allow for a continuation of the existing fee structure). The mitigation fee schedule is shown in Table 3-1 and includes the mitigation fees provided under the 2020 Nexus Study (actual fee levels will vary with fee phase-in and annual adjustments).

Table 3-1: Updated Fee Levels (effective January 1, 2022)

Development Type		Fee
Residential Development		
Low Density	(fewer less than or equal to 8.0 units per Gross Residential Project Acre)	\$3,635 per Unit
Medium Density	(between 8.0 and 14.0 units per Gross Residential Project Acre)	\$1,515 per Unit
High Density	(more than 14.0 units per Gross Residential Project Acre)	\$670 per Unit
Non-Residential Development		
Commercial/Industrial/Non-Residential Mitigation Fee ¹		\$16,358 per Gross Project Acre

[1] The per gross acre also applies to the public components to private projects and to certain types of public and PSE Projects.

Private Project Mitigation Fee Calculations by Project Type

The table below shows the mitigation payment approach for residential projects.

Table 3-2: Mitigation Payment Approach for Residential Projects

PRIVATE PROJECT MITIGATION PAYMENT APPROACH - RESIDENTIAL

MITIGATION PAYMENT FORMULA FOR DIFFERENT TYPES OF RESIDENTIAL PROJECTS *

Residential Developments - Type I

Residential Development with Resident-Serving Public Improvements Only

Fee Calculation:

Fee Payment = Number of Residential Units x Per Unit Mitigation Fee for Appropriate Density Category

Notes:

1. Density Category = Total Number of Residential Units/Gross Residential Project Acres
2. Type I Residential Development cannot include any public improvements that serve beyond the project residents (i.e. only resident-serving public improvements; not "community-serving" public improvements)

Residential Developments - Type II

Residential Development with Community-Serving Public Improvements

Fee Calculation:

Fee Payment = Number of Residential Units x Per Unit Mitigation Fee for Appropriate Density Category
plus Gross Acres of community-serving Public Improvements x Per Gross Acre Fee

Notes:

1. Density Category = Total Number of Residential Units/Gross Residential Project Acres
2. Type II Residential Development includes "Community-serving" Public Improvements that serve beyond the project residents and are not covered by the per residential unit mitigation fee
3. Gross Project Acres = Gross Residential Project Acres + Gross Community-Serving Public Improvement Acres

Residential Developments - Type III & IV

Development of an Accessory Dwelling Unit (ADU) or Additions/Renovations

Fee Calculation:

Fee Payment for ADUs or Additions/Renovations of less than 750 square feet
= \$0

Fee Payment for ADUs or Additions/Renovations of 750 or more square feet
= Per Unit Mitigation Fee for Appropriate Density Category x (ADU or Addition/Renovation square feet/Primary Dwelling Unit (Current) square feet)

Notes:

1. California Government Code Section 65852.2(f)(3)(A) (as of September 13, 2021) provides the basis for calculating fees on ADUs. Jurisdictions should monitor any amendments to this state code or other state laws that govern fees on ADUs.
2. The above code section does not allow charging of mitigation fees to ADUs of less than 750 square feet
3. The above code section provides the formula for calculating fee payments by larger ADUs
4. Density Category = Total Lot Square Footage/1 acre.
5. Fees Previously Paid - If the LDMF fee was previously paid on the residential property, no additional fees are required for additions or renovations to the primary dwelling unit even if additional square footage is added.
6. Fees Not Previously Paid - The LDMF shall be paid for residential additions or renovations if the LDMF was not previously paid on that property. The fee is calculated using the state code for ADUs.

* The term "Public Improvements" is used as a collective term for all Public Infrastructure, Improvement, and Amenities.

The table below shows the approach for non-residential projects and mixed-use projects.

Table 3-3: Mitigation Payment Approach for Non-Residential and Mixed-Use Projects

MITIGATION PAYMENT FORMULA FOR NON-RESIDENTIAL AND MIXED USE PROJECTS *

Non Residential Projects

All Non-Residential Projects

Fee Calculation:

Fee Payment = Gross Project Acres x Per Gross Acre Fee

Notes:

1. Gross Project Acres include all project acres including non-residential development areas and all associated project acreage (i.e. including all parking, landscaping, public improvements etc.)
-

Mixed-Use Project - Type I

Horizontally mixed-use project with residential and non-residential private development

Fee Calculation:

Fee Payment = Number of Residential Units x Per Unit Mitigation Fee for Appropriate Density Category

plus Gross Acres of Community-serving Public Improvements x Per Gross Acre Fee

plus Gross Acres of Non-Residential Development x Per Gross Acre Fee

Notes:

1. Density Category = Total Number of Residential Units/Gross Residential Project Acres
2. All gross project acres outside of the Gross Residential Project Acres contribute through the per gross acre fee

Mixed-Use Project - Type II

Vertically mixed-use project with residential and non-residential private development

Fee Payment is the higher of two (2) calculations:

Calculation 1: Fee Payment = Gross Project Acres x Per Gross Acre Fee

Calculation 2:

Fee Payment = Number of Residential Units x Per Unit Mitigation Fee for Appropriate Density Category

plus Gross Acres of Community-serving Public Improvements x Per Gross Acre Fee

Notes:

1. Density Category = Total Number of Residential Units/Gross Project Residential Acres
(Gross Residential Acres = Gross Project Acres minus Community-serving Public Improvements Acres)

*The term "Public Improvements" is used as a collective term for all Public Infrastructure, Improvement, and Amenities.

Key definitions associated with the above mitigation formula table include:

- **Gross Project Area/Acres.** This is the total or gross acres of the project. This overall acreage can only be reduced under unique circumstances.⁶
- **Gross Residential Area/Acres.** This is the total area of the project dedicated to residential land uses and includes residential buildings as well as “Project Resident-Serving” Infrastructure/Improvements/Amenities.
- **Project Resident-Serving Infrastructure/Improvements/Amenities.** Infrastructure/improvements, and amenities that only serve project residents and include, but are not limited to, roads, parks, and non-residential buildings that only serve project residents.
- **Gross Community-Serving Area/Acres.** This is the area of residential projects that provide infrastructure, improvements, and amenities that go beyond only serving project residents and hence are “community-serving”. This includes, but is not limited to, roads that serve multiple projects, parks that serve more than one residential project, parking that serves other uses/developments etc. The acreage associated with these improvements/amenities are part of the gross project acreage but distinct from project resident-serving improvements/amenities and the gross residential area.

For further clarification, mitigation fee payment calculations for illustrative Private Projects are provided in **Chapter IV**.

C. Public Projects

This section categorizes the different types of Public Projects and the associated mitigation payment requirements. The MSHCP, IA, and other documents established the mitigation system for Public Projects that includes a mix of approaches typically tied to a percent of capital cost or the adopted per gross acre mitigation fee for non-residential uses. The mitigation payments for road projects are more complex as certain funding sources (Measure A and TUMF) provide direct mitigation payments for the portions of transportation projects they fund. **Chapter IV** provides illustrative examples of selected Public Projects to further clarify and support the calculation of the appropriate mitigation payment.

1. Public Project Types

Public Projects include the full range of projects that provide public infrastructure, improvements, or amenities. This includes, but is not limited to, public roads, parks, libraries, administrative facilities, jails, courts, and flood control projects among others. As

⁶Specifically, the MSHCP exempts flood control areas that cannot be developed from mitigation fee calculations. (See Chapter II.E.3 of this manual).

described in the following section, certain public/quasi-public improvements are covered as PSE projects (the third major project category type). These include public (and private) utility districts/companies, School Districts, Special Districts, and other quasi-public entities.

Per the MSHCP, IA, and other documents, the mitigation payment requirement/obligation varies between the following Public Project types.

- **City/County Road Projects.** Includes all City and County road projects.
- **City/County Linear Projects (Infrastructure).** Includes all City and County infrastructure projects (excluding roads). These projects are more linear in design and include such projects as water and wastewater, electricity, gas, sewer, etc. Riverside County Flood Control District Projects are a separate Public Project type as defined below.
- **City/County Civic Projects.** Includes all non-road City and County projects, including City/County administrative facilities, jails, courts, juvenile facilities, parks, libraries, and all other facilities that serve the public. Civic projects also include public transit facilities built by transportation agencies. These projects will be charged on a per acre basis and will be able to reduce the fee due by the percentage of Measure A or TUMF funds programed on the project. Please contact the RCA if you have this type of project in your jurisdiction.
- **Riverside County Flood Control District Projects.** Includes all Riverside County Flood Control District projects.

As noted in the MSHCP and the IA, mitigation contributions for Caltrans Projects are intended to be covered through a combination of Measure A funds, 3,000 acres of land dedication, and support for the endowment and ongoing positions. Mitigation for federal projects (e.g., development of a federal building) occurs through the Section 7 consultation process of the Federal Endangered Species Act; in some cases, these projects might be required to provide mitigation similar to those of other Public Projects under the MSHCP.

2. Mitigation Requirements and Transportation Funding Sources

For transportation projects, the mitigation payment calculations are more complicated due to the distinct mitigation payments/contributions directly incorporated into certain types of transportation funding, as described below:

- **TUMF Funding.** The TUMF includes a small component tied to the mitigation of the portions of projects funded by TUMF revenues. This portion of the TUMF is passed directly from WRCOG to the RCA. As a result, the proportion of transportation projects that are funded by TUMF revenues are netted out from transportation project mitigation payments (described in more detail below).

- **Measure A Funding.** A portion of the Measure A sales tax revenues was collected and provided to the RCA to support MSHCP implementation. This contribution represented the mitigation payment for the portions of projects funded with Measure A dollars. As a result, the proportion of transportation projects that are funded by Measure A funds are netted out from transportation project mitigation payments (described in more detail below).
- **Federal Funding.** Unlike TUMF and Measure A funding, direct mitigation funding has not been provided for the portions of transportation projects that are federally funded. As a result, federal funding is not excluded from the mitigation payment calculation. It is recommended that Local Permittees incorporate the mitigation payment associated with federally funded portions of their transportation projects into any grant applications for federal transportation funding.

3. **Public Project Mitigation Payment Approaches**

There are two primary approaches that underlie the calculation of Public Project mitigation payments, including:

- **Per Gross Acre Fee Payments.** For some Public Projects, the required mitigation payment is based on the application of the per gross acre fee to the gross project acres. The per gross acre fee is the same fee that applies to Private Projects. The fee will vary each year/periodically and is calculated at \$16,358 per Gross Project Acre in the 2020 Nexus Study.
- **Percent of Construction Costs.** For some Public Projects, the mitigation payment requirement is three (3) percent or five (5) percent of total construction costs (described in more detail below).

4. Public Project Mitigation Fee Calculations by Project Type

The table below shows fee calculations for different Public Project types.

Table 3-4: Mitigation Payment Approach for Public Projects

MITIGATION PAYMENT FORMULA FOR DIFFERENT TYPES OF PUBLIC PROJECTS

City/County Road and Infrastructure Projects

All City and County Road and Infrastructure Projects

Fee Calculation:

Fee Payment = 5% x Total Construction Costs

Notes:

1. Applies to all new road projects, all road widening projects, other road investments that are not maintenance efforts, and linear infrastructure projects.
2. The proportion of total project costs covered by TUMF funding and Measure A funding is discounted from the total construction costs (where applicable) prior to fee payment calculation.
3. Total construction costs are a portion of total project costs. Total construction costs include all direct/ hard costs, including contingencies and change orders. ROW acquisition costs and soft costs are not included in total construction costs.

City/County Civic Projects

All City and County (non-road and non-linear) public projects, including City/County administrative facilities, jails, courts, juvenile facilities, parks, libraries, or other facilities that serve the public.

Fee Calculation:

Fee Payment = Gross Project Acres x Per Gross Acre Fee

Notes:

1. No exceptions unless specifically noted in the Ordinance.
2. School District, Special District, and certain other public projects are covered as PSE's.

Riverside County Flood Control District Projects

All Riverside County Flood Control District projects

Fee Calculation

Fee Payment = 3% x Total Construction Costs

Notes

1. Total construction costs are a portion of total project costs. Total construction costs include all direct/hard costs, including contingencies and change orders. ROW acquisition costs and soft costs are not included in total construction costs.
-

D. Participating Special Entity Projects

PSEs are entities that are not formally covered under the MSHCP but are allowed to obtain the same MSHCP streamlined permitting by making the appropriate mitigation payments. This section categorizes the different types of PSE projects and the associated mitigation payment requirements. The mitigation payment system for PSE projects is similar to the one for public projects and includes a mix of approaches typically tied to the percent of construction costs or the adopted per gross acre mitigation fee for non-residential uses.

1. PSE Project Types

PSEs includes entities/agencies such as public and private utility districts/companies, School Districts, Special Districts, and Quasi-Public entities, among others. Public water districts, private water companies, telecommunication companies, Investor-Owned Utilities, Schools, Colleges, and Universities would all fall in this project category.

The mitigation payment requirement/obligation varies between the following Public Project types.

- **Non-Linear Projects.** Includes all projects that are non-linear in form. Examples would be a facility or a water tank.
- **Linear Projects.** Includes all linear projects with differentiation in payment amount between permanent and temporary impacts. Examples would be a gas line or linear transmission line.

2. PSE Mitigation Payment Approaches

There are two primary approaches that underlie the calculation of PSE mitigation payments, including:

- **Per Gross Acre Fee Payments.** For non-linear PSE, the required mitigation payment is based on the application of the per gross acre fee to the gross project acres. The per gross acre fee is the same fee that applies to PSE. The fee will vary each year/periodically and is calculated at \$16,358 per Gross Project Acre in the 2020 Nexus Study.
- **Percent of Construction Costs.** For linear projects, the mitigation payment requirement is five (5) percent of total construction costs for permanent impacts and three (3) percent of total construction costs for temporary impacts.

3. PSE Project Mitigation Fee Calculations by Project Type

The table below shows fee calculations for different PSE project types.

Table 3-5: Mitigation Payment Approach for PSE Projects

MITIGATION PAYMENT FORMULA FOR DIFFERENT TYPES OF PSE PROJECTS

Non-Linear Projects

All PSE projects/impacts that are not linear in form

Fee Calculation:

Fee Payment = Gross Project Acres x Per Gross Acre Fee

Linear Projects - Permanent Impacts

All PSE impacts that are linear in form and permanent

Fee Calculation

Fee Payment = 5% x Total Construction Costs related to Permanent Impacts

Linear Projects - Temporary Impacts

All PSE impacts that are linear in form and temporary

Fee Calculation

Fee Payment = 3% x Total Construction Costs related to Temporary Impacts

Notes

1. Total construction costs are a portion of total project costs. Total construction costs include all direct/hard costs, including contingencies and change orders. ROW acquisition costs and soft costs are not included in total construction costs.



Bobcat

IV. MITIGATION PAYMENT EXAMPLES



CHAPTER IV. MITIGATION PAYMENT EXAMPLES

This chapter provides illustrative fee calculations for examples of Private and Public Projects. Building off the comprehensive description of mitigation requirements and formulae by project type in **Chapter III**, this chapter provides fee calculations for an illustrative set of projects. Illustrative examples were developed for a range of circumstances and are designed to help Local Permittees identify the appropriate approach for estimating mitigation payments. The examples included in this chapter are for illustration purposes only. In the event of a conflict between these examples and the Fee Ordinance of the applicable City/County, the Fee Ordinance shall control the administration of the LDMF. Please contact RCA staff if you are unclear on how to conduct the mitigation payment calculation for a particular project.

A. Private Projects: Residential/Mixed Use Examples

This section contains six (6) examples of private development projects, including four (4) residential projects and two (2) mixed-use projects. More specifically, they include:

- Example 1: All Residential – Low Density
- Example 2: All Residential – Low Density – including Backbone Road Construction
- Example 3: All Residential – High Density - including Backbone Road Construction
- Example 4: All Residential – Combination of Densities
- Example 5: Horizontal Mixed Use – Residential/Commercial – including Backbone Road Construction
- Example 6: Vertical Mixed Use – Residential/Commercial

These examples are not intended to be all inclusive but rather give permittees guidance on calculating the mitigation fee payment given different project types and characteristics. Included in each example is a narrative of the example project, a figure representation of the project layout, the development program description, and the mitigation fee calculation. No stand-alone commercial project examples are included as the application of the per gross acre mitigation fee to the gross project acres is universal for all non-residential Private Projects.

Example 1 - All Residential – Low Density

Residential project to be developed on a total of ten acres (area inside red boundary). The project will include residential units, a community building/area for the residents of the development (project residents only), and streets within the development (in-tract streets). All roads leading to the development have already been built and do not require investments by the developer. A total of 50 residential units are planned within the ten gross acres, resulting in an average residential density of five units per acre. This represents a low-density residential project for the purpose of the fee program. Please

see the visual representation of the project layout (Figure 4.1-1), the development program data (Table 4.1-1), and mitigation payment calculation (Table 4.1-2) below.

Figure 4.1-1: Illustrative Project Layout

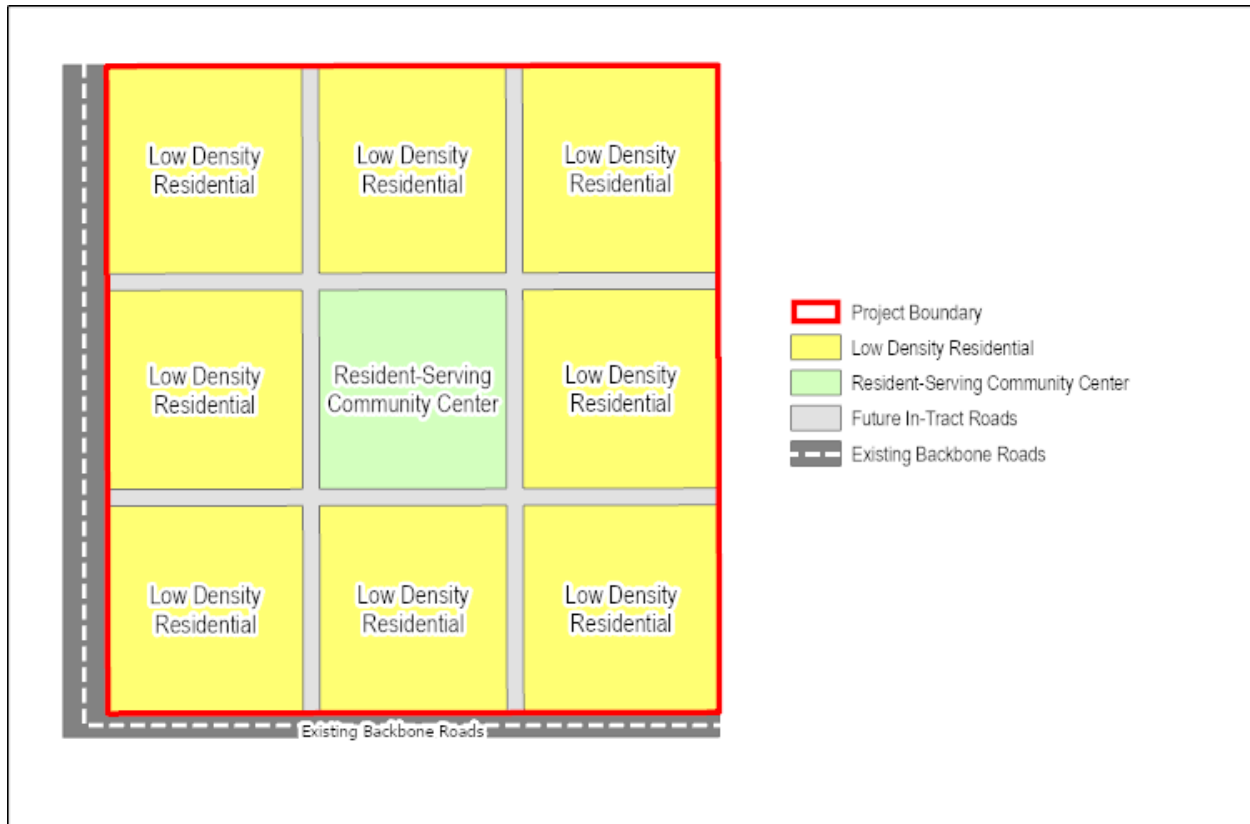


Table 4.1-1: Illustrative Development Program

Item	Amount
Gross Project Area	10 acres
<u>Residential Development Area</u>	
Residential Development Area	8.25
In-Tract/Project Resident Serving (Residential)	<u>1.75</u>
Total/Gross Residential Acres	10.00
<u>All Other Development</u>	
Non-Residential Development Area	0
Backbone/Area-Serving	<u>0</u>
Total Non-Residential Development	0
Residential Development	
Low Density (1)	50
Medium Density (1)	0
High Density (1)	<u>0</u>
Total Units	50 units
Residential Project Density	
Residential Project Density	5 units/acre
Residential Fee Density Category (1)	LOW

(1) Residential density categories as follows:

- Low Density - less than or equal to 8 residential units/gross residential acre.
- Medium Density - greater than 8 and less than 14 residential units/gross residential acre.
- High Density - greater than 14 residential units/gross residential acre.

Table 4.1-2: Mitigation Fee Payment Calculation

Item	Units/Acres	Per Unit/Per Acre Mitigation Fee (1)	Mitigation Fee Payment
Residential Development (2)	50 units	\$3,635 (low density)	\$181,750
Non-Residential Development (3)	0 acres	16,358	0
Backbone/Community-Serving (4)	0 acres	16,358	0
Total Mitigation Fee Payment (5)			\$181,750

(1) Fee schedule will be updated periodically. Fee schedule used for Example Calculations as follows:

Residential Development

Low Density (on average)	\$3,635	per unit
Medium Density (on average)	1,515	per unit
High Density (on average)	670	per unit
<u>All Other Development</u>	16,358	per gross acre

(2) Residential mitigation fee payment covers residential units and associated in-tract infrastructure/improvements and project resident-serving amenities. All infrastructure, improvements, and amenities that serve beyond the project residents is covered in separate component of the fee calculation.

(3) Includes land area associated with non-residential development, such as commercial/industrial buildings, parking, and landscaping, among other components.

(4) All infrastructure/improvements/amenities that serve beyond the project/project residents and that are not included in the non-residential development fee payment calculation included here.

(5) Mitigation fee payment calculation does not include any additional member jurisdiction administrative charges.

Example 2 – All Residential – Low Density – Including Backbone Road Construction

Residential project to be developed on a total of 12.5 acres (inside red boundary). The project will include residential units, a community building/area for the residents of the development (project residents only), streets within the development (in-tract streets), and new streets leading to the project (backbone/community-serving streets). The Member Agency has required the builder to construct backbone roads as a condition of the permit. The backbone roads will be built on an additional 2.5 acres of land distinct from the 10 acres that will incorporate the residential development and project resident-serving improvements/amenities. A total of 50 residential units are planned within the 10 gross acres (gross residential acres) that exclude the backbone/community-serving infrastructure. This results in an average residential density of five units per acre and represents a low-density residential project for the purpose of the fee program. Please see the visual representation of the project layout (Figure 4.2-1), the development program data (Table 4.2-1), and the mitigation payment calculation (Table 4.2-2) below.

Figure 4.2-1: Illustrative Project Layout

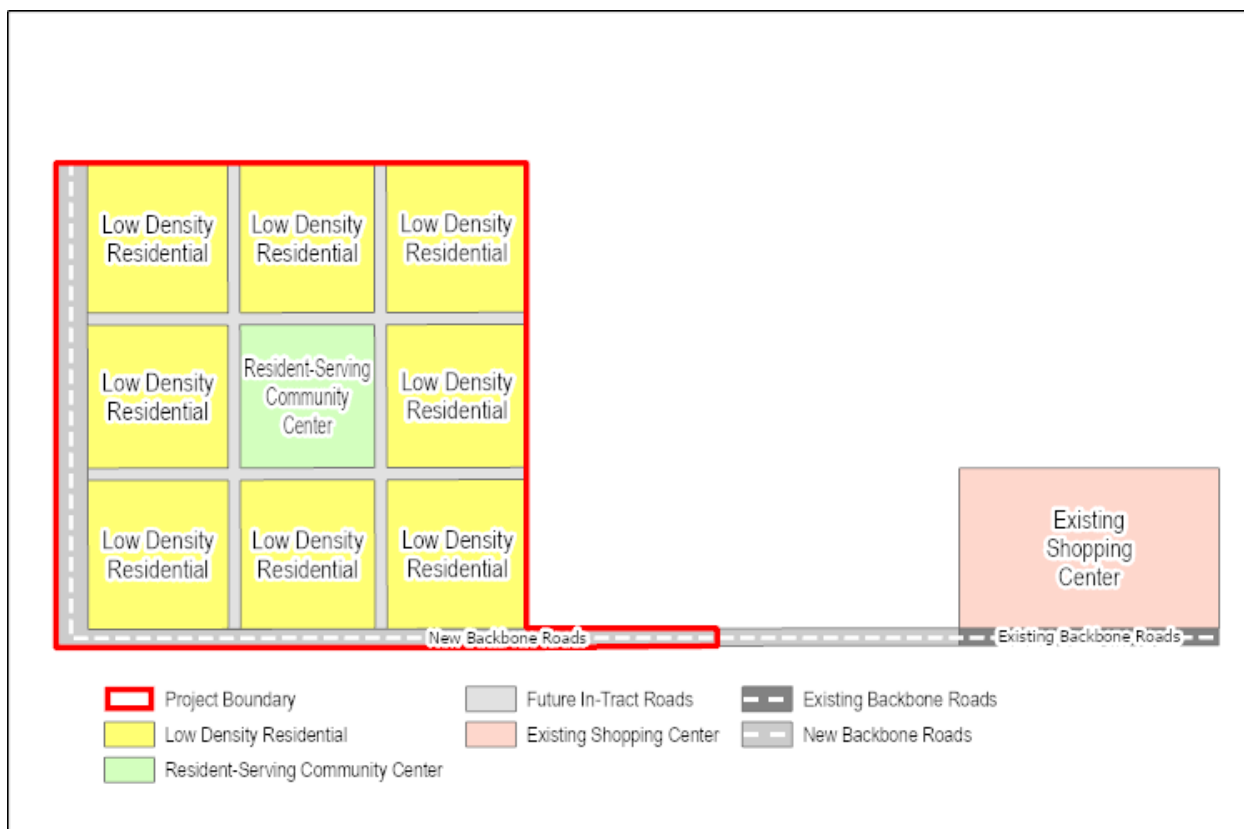


Table 4.2-1: Illustrative Development Program

Item	Amount
Gross Project Area	12.5 acres
<u>Residential Development Area</u>	
Residential Development Area	8.25
In-Tract/Project Resident Serving (Residential)	<u>1.75</u>
Total/Gross Residential Acres	10.00
<u>All Other Development</u>	
Non-Residential Development Area	0
Backbone/Area-Serving	<u>2.5</u>
Total Non-Residential Development	2.5
Residential Development	
Low Density (1)	50
Medium Density (1)	0
High Density (1)	<u>0</u>
Total Units	50 units
Residential Project Density	
Residential Project Density	5 units/acre
Residential Fee Density Category (1)	LOW

(1) Residential density categories as follows:

- Low Density - less than or equal to 8 residential units/gross residential acre.
- Medium Density - greater than 8 and less than 14 residential units/gross residential acre.
- High Density - greater than 14 residential units/gross residential acre.

Table 4.2-2: Mitigation Payment Calculation

Item	Units/Acres	Per Unit/Per Acre Mitigation Fee (1)	Mitigation Fee Payment
Residential Development (2)	50 units	\$3,635 (low density)	\$181,750
Non-Residential Development (3)	0 acres	16,358	0
Backbone/Community-Serving (4)	2.5 acres	16,358	40,895
Total Mitigation Fee Payment (5)			\$222,645

(1) Fee schedule will be updated periodically. Fee schedule used for Example Calculations as follows:

Residential Development

Low Density (on average)	\$3,635	per unit
Medium Density (on average)	1,515	per unit
High Density (on average)	670	per unit
<u>All Other Development</u>	16,358	per gross acre

(2) Residential mitigation fee payment covers residential units and associated in-tract infrastructure/ improvements and project resident-serving amenities. All infrastructure, improvements, and amenities that serve beyond the project residents is covered in separate component of the fee calculation.

(3) Includes land area associated with non-residential development, such as commercial/industrial buildings, parking, and landscaping, among other components.

(4) All infrastructure/improvements/amenities that serve beyond the project/project residents and that are not included in the non-residential development fee payment calculation included here.

(5) Mitigation fee payment calculation does not include any additional member jurisdiction administrative charges.

Example 3 – All Residential – High Density – Including Backbone Road Construction

Residential project to be developed on a total of 12.5 acres (inside red boundary). The project will include residential units, a community building/area for the residents of the development (project residents only), streets within the development (in-tract streets), and new streets leading to the project (backbone/community-serving streets). The Member Agency has required the builder to construct backbone roads as a condition of the permit. The backbone roads will be built on an additional 2.5 acres of land distinct from the 10 acres that will incorporate the residential development and project resident-serving improvements/amenities. A total of 200 residential units are planned within the 10 gross acres that exclude the backbone/community-serving infrastructure. This results in an average residential density of 20 units per acre and represents a high-density residential project for the purpose of the fee program. Please see the visual representation of the project layout (Figure 4.3-1), the illustrative development program data (Table 4.3-1), and the mitigation payment calculation (Table 4.3-2) below.

Figure 4.3-1: Project Layout

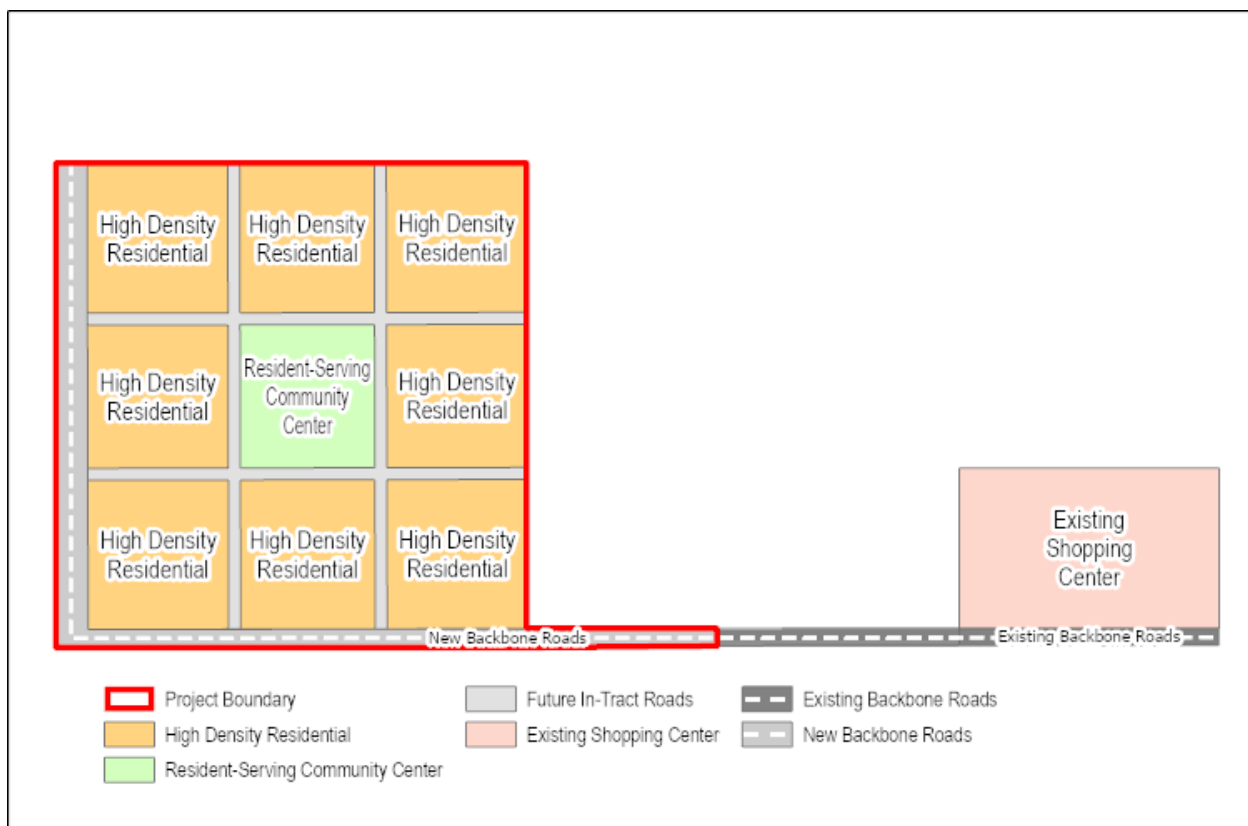


Table 4.3-1: Illustrative Development Program

Item	Amount
Gross Project Area	12.5 acres
<u>Residential Development Area</u>	
Residential Development Area	8.00
In-Tract/Project Resident Serving (Residential)	<u>2.00</u>
Total/Gross Residential Acres	10.00
<u>All Other Development</u>	
Non-Residential Development Area	0
Backbone/Area-Serving	<u>2.5</u>
Total Non-Residential Development	2.5
Residential Development	
Low Density (1)	0
Medium Density (1)	0
High Density (1)	<u>200</u>
Total Units	200 units
Residential Project Density	
Residential Project Density	20 units/acre
Residential Fee Density Category (1)	HIGH

(1) Residential density categories as follows:

- Low Density - less than or equal to 8 residential units/gross residential acre.
- Medium Density - greater than 8 and less than 14 residential units/gross residential acre.
- High Density - greater than 14 residential units/gross residential acre.

Table 4.3-2: Mitigation Payment Calculation

Item	Units/ Acres	Per Unit/ Per Acre Mitigation Fee (1)	Mitigation Fee Payment
Residential Development (2)	200 units	\$670 (high density)	\$134,000
Non-Residential Development (3)	0 acres	16,358	0
Backbone/Community-Serving (4)	2.5 acres	16,358	40,895
Total Mitigation Fee Payment (5)			\$174,895

(1) Fee schedule will be updated periodically. Fee schedule used for Example Calculations as follows:

Residential Development

Low Density (on average)	\$3,635	per unit
Medium Density (on average)	1,515	per unit
High Density (on average)	670	per unit
<u>All Other Development</u>	16,358	per gross acre

(2) Residential mitigation fee payment covers residential units and associated in-tract infrastructure/improvements and project resident-serving amenities. All infrastructure, improvements, and amenities that serve beyond the project residents is covered in separate component of the fee calculation.

(3) Includes land area associated with non-residential development, such as commercial/industrial buildings, parking, and landscaping, among other components.

(4) All infrastructure/improvements/amenities that serve beyond the project/project residents and that are not included in the non-residential development fee payment calculation included here.

(5) Mitigation fee payment calculation does not include any additional member jurisdiction administrative charges.

Example 4 – All Residential – Combination of Densities

Residential project to be developed on a total of 7.25 acres (area inside red boundary). The project will include residential units, a community building/area for the residents of the development (project residents only), and streets within the development (in-tract streets). All roads leading to the development have already been built and do not require investments by the developer. A total of 50 residential units are planned within the 7.25 gross acres, including a mix of low- and high-density development. The 50 residential units planned on 7.25 gross acres result in an average residential density of 6.9 units per acre. This represents a low-density residential project for the purpose of the fee program. Please see the visual representation of the project layout (Figure 4.4-1), the illustrative development program data (Table 4.4-1), and the mitigation payment calculation (Table 4.4-2) below.

Figure 4.4-1: Illustrative Project Layout

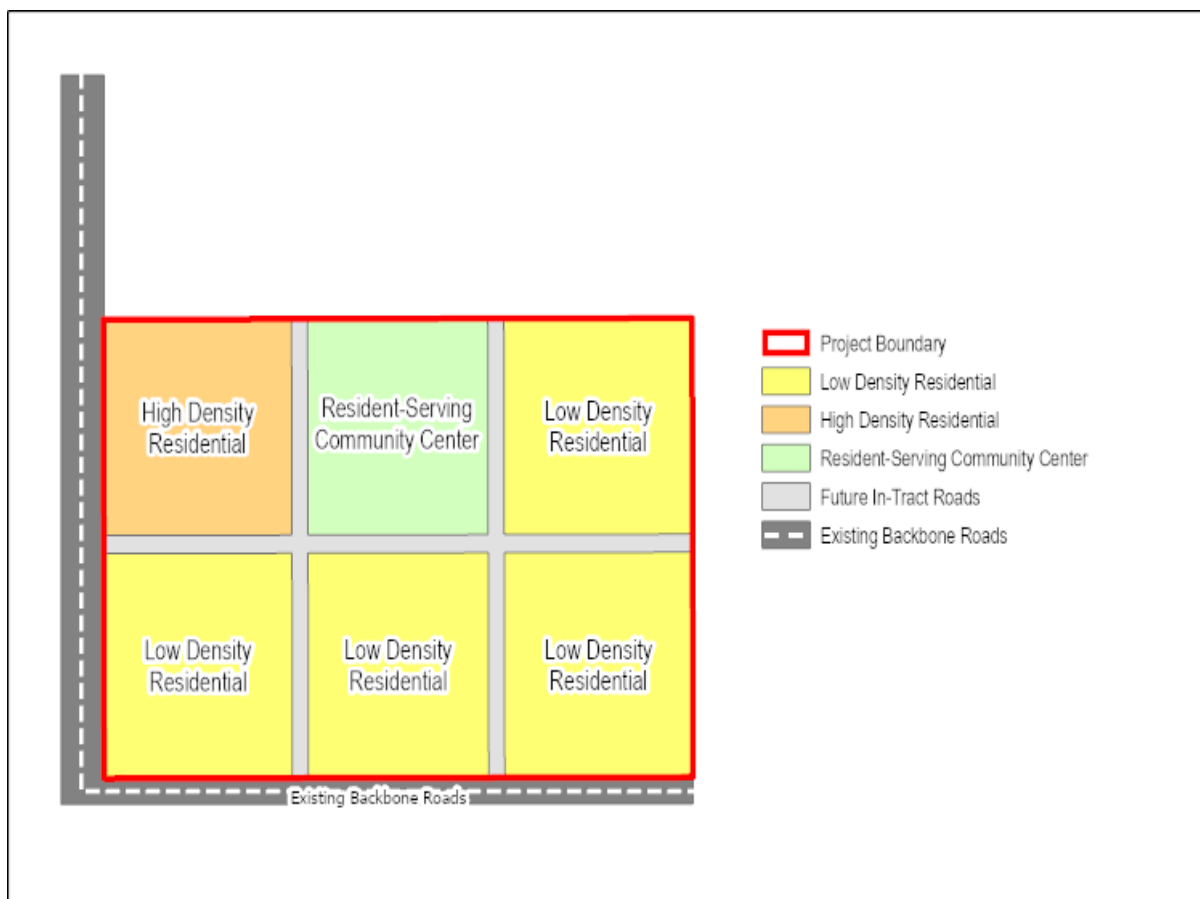


Table 4.4-1: Illustrative Development Program

Item	Amount
Gross Project Area	7.25 acres
<u>Residential Development Area</u>	
Residential Development Area	5.75
In-Tract/Project Resident Serving (Residential)	<u>1.50</u>
Total/Gross Residential Acres	7.25
<u>All Other Development</u>	
Non-Residential Development Area	0
Backbone/Area-Serving	<u>0</u>
Total Non-Residential Development	0
Residential Development	
Low Density (1)	25
Medium Density (1)	0
High Density (1)	<u>25</u>
Total Units	50 units
Residential Project Density	
Residential Project Density	6.9 units/acre
Residential Fee Density Category (1)	LOW

(1) Residential density categories as follows:

- Low Density - less than or equal to 8 residential units/gross residential acre.
- Medium Density - greater than 8 and less than 14 residential units/gross residential acre.
- High Density - greater than 14 residential units/gross residential acre.

Table 4.4-2: Mitigation Payment Calculation

Item	Units/Acres	Per Unit/ Per Acre Mitigation Fee (1)	Mitigation Fee Payment
Residential Development (2)	50 units	\$3,635 (low density)	\$181,750
Non-Residential Development (3)	0 acres	16,358	0
Backbone/Community-Serving (4)	0 acres	16,358	0
Total Mitigation Fee Payment (5)			\$181,750

(1) Fee schedule will be updated periodically. Fee schedule used for Example Calculations as follows:

Residential Development

Low Density (on average)	\$3,635	per unit
Medium Density (on average)	1,515	per unit
High Density (on average)	670	per unit
<u>All Other Development</u>	16,358	per gross acre

(2) Residential mitigation fee payment covers residential units and associated in-tract infrastructure/ improvements and project resident-serving amenities. All infrastructure, improvements, and amenities that serve beyond the project residents is covered in separate component of the fee calculation.

(3) Includes land area associated with non-residential development, such as commercial/industrial buildings, parking, and landscaping, among other components.

(4) All infrastructure/improvements/amenities that serve beyond the project/project residents and that are not included in the non-residential development fee payment calculation included here.

(5) Mitigation fee payment calculation does not include any additional member jurisdiction administrative charges.

Example 5 – Horizontal Mixed Use – Residential and Commercial – Including Backbone Road Construction

Mixed use project to be developed on a total of 22.5 acres (inside red boundary). Residential project to be developed on 10 gross acres. The project will include three components: (1) residential units, a community building/area for the residents of the development (project residents only), and streets within the residential development (in-tract streets); (2) a commercial development (e.g. shopping center) and project-serving improvements (e.g. parking, landscaping, and any other component that is not restricted to use by the residents only); and, (3) backbone/community serving roads on 2.5 acres of land that the Member Agency has required the builder to construct as a condition of the permit. A total of 50 residential units are planned within the 10 gross residential acres that exclude the backbone/community-serving infrastructure and the commercial development. This results in an average residential density of five units per acre, meaning that the residential component of the project is low density for the purpose of the fee program. Please see the visual representation of the project layout (Figure 4.5-1), the illustrative development program data (Table 4.5-1), and the mitigation payment calculation (Table 4.5-2) below.

Figure 4.5-1: Illustrative Project Layout

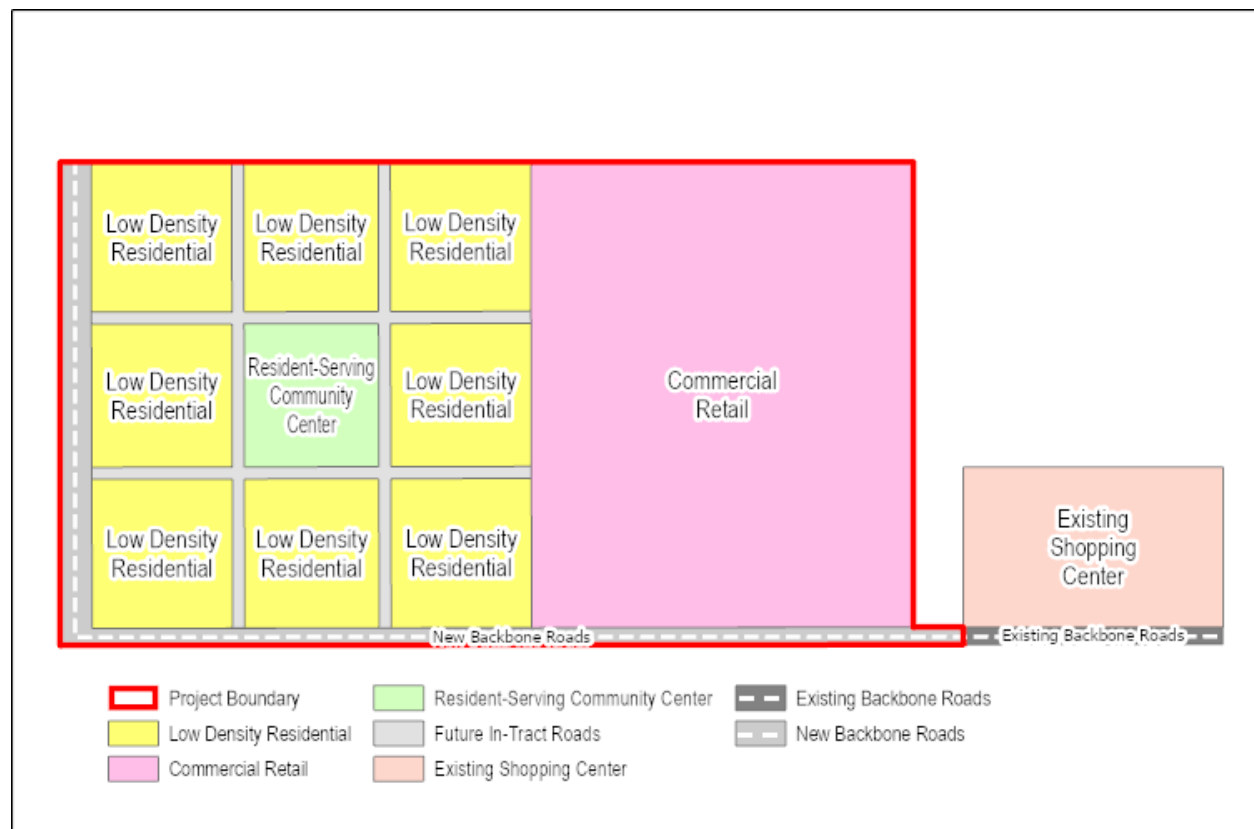


Table 4.5-1: Illustrative Development Program

Item	Amount
Gross Project Area	22.5 acres
<u>Residential Development Area</u>	
Residential Development Area	8.25
In-Tract/Project Resident Serving (Residential)	<u>1.75</u>
Total/Gross Residential Acres	10.00
<u>All Other Development</u>	
Non-Residential Development Area	10.0
Backbone/Area-Serving	<u>2.5</u>
Total Non-Residential Development	12.5
Residential Development	
Low Density (1)	50
Medium Density (1)	0
High Density (1)	<u>0</u>
Total Units	50 units
Residential Project Density	
Residential Project Density	5.0 units/acre
Residential Fee Density Category (1)	LOW

(1) Residential density categories as follows:

- Low Density - less than or equal to 8 residential units/gross residential acre.
- Medium Density - greater than 8 and less than 14 residential units/gross residential acre.
- High Density - greater than 14 residential units/gross residential acre.

Table 4.5-2: Mitigation Fee Payment Calculation

Item	Units/Acres	Per Unit/ Per Acre Mitigation Fee (1)	Mitigation Fee Payment
Residential Development (2)	50 units	\$3,635 (low density)	\$181,750
Non-Residential Development (3)	10 acres	16,358	163,580
Backbone/Community-Serving (4)	2.5 acres	16,358	40,895
Total Mitigation Fee Payment (5)			\$386,225

(1) Fee schedule will be updated periodically. Fee schedule used for Example Calculations as follows:

Residential Development

Low Density (on average) \$3,635 per unit

Medium Density (on average) 1,515 per unit

High Density (on average) 670 per unit

All Other Development 16,358 per gross acre

(2) Residential mitigation fee payment covers residential units and associated in-tract infrastructure/ improvements and project resident-serving amenities. All infrastructure, improvements, and amenities that serve beyond the project residents is covered in separate component of the fee calculation.

(3) Includes land area associated with non-residential development, such as commercial/industrial buildings, parking, and landscaping, among other components.

(4) All infrastructure/improvements/amenities that serve beyond the project/project residents and that are not included in the non-residential development fee payment calculation included here.

(5) Mitigation fee payment calculation does not include any additional member jurisdiction administrative charges.

Example 6 – Vertical Mixed Use – Residential and Commercial

Mixed use project to be developed on a total of 3 acres (inside red boundary). The project will include a podium at street level that will include commercial/retail as well as parking, residential units in the stories above the podium, as well as streets within the project area (in-tract streets). A total of 90 residential units are planned within the 3-acre project area. This results in an average residential density of 30 units per acre, meaning that the residential component of the project is high density for the purpose of the fee program. Please see the visual representations of the project layout (Figures 4.6-1 and 4.6-2), the illustrative development program data (Table 4.6-1), and the mitigation payment calculations (Tables 4.6-2 and 4.6-3) below. Two calculations must be conducted for mixed-use vertical projects and the higher of the two calculations must be used. One calculation treats the project like a residential project and the other calculation treats it like a commercial project. In the example below, the mitigation payment is \$60,300 under the first method and \$49,074 under the second method, so the \$60,300 payment applies.

Figure 4.6-1: Illustrative Project Layout – Residential and Commercial Vertical View



Figure 4.6-2: Illustrative Project Layout – Residential and Commercial Horizontal View

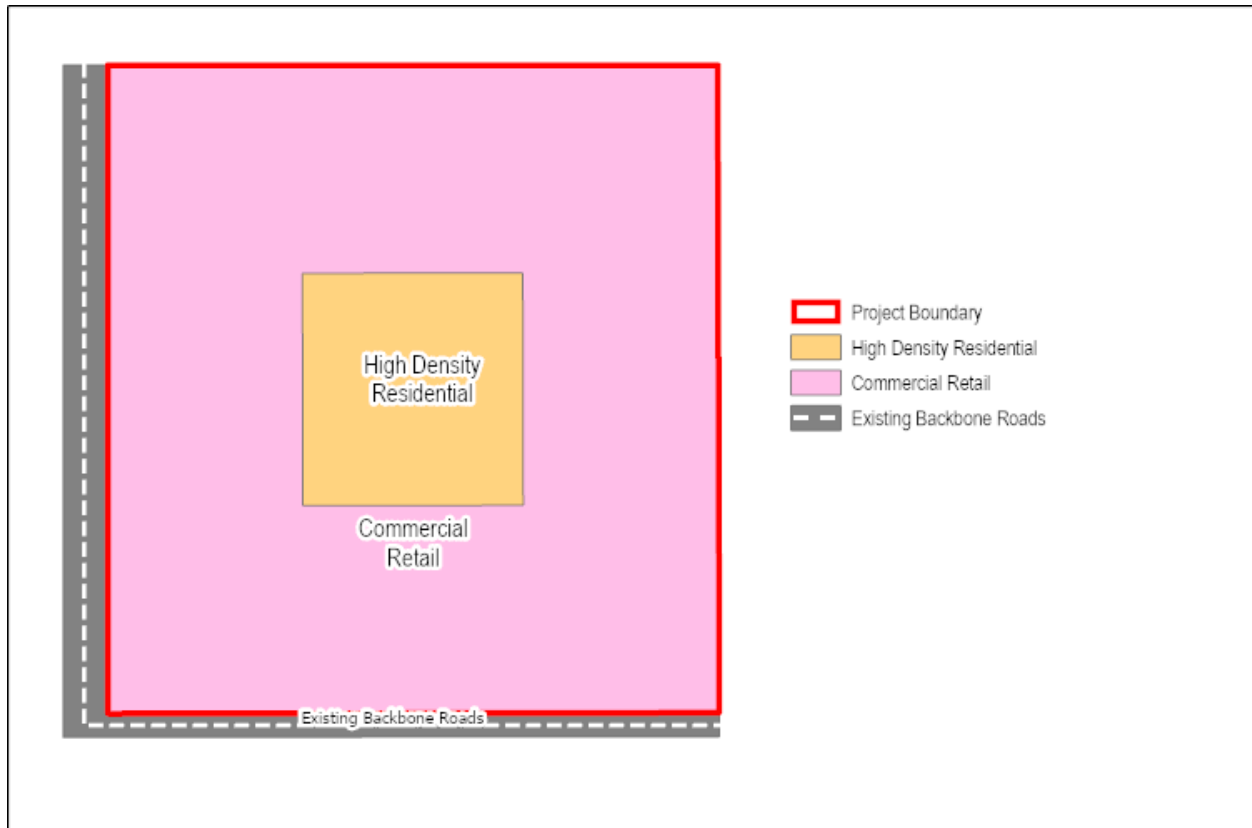


Table 4.6-1: Illustrative Development Program

Item	Amount
Gross Project Area	3 acres
<u>Residential Development Area</u>	
Residential Development Area	2.75
In-Tract/ Project Resident Serving (Residential)	<u>0.25</u>
Total/ Gross Residential Acres	3.00
<u>All Other Development</u>	
Non-Residential Development Area	0.0
Backbone/ Area-Serving	<u>0</u>
Total Non-Residential Development	0
Residential Development	
Low Density (1)	0
Medium Density (1)	0
High Density (1)	<u>90</u>
Total Units	90 units
Residential Project Density	
Residential Project Density	30.0 units/acre
Residential Fee Density Category (1)	HIGH

(1) Residential density categories as follows:

- Low Density - less than or equal to 8 residential units/gross residential acre.
- Medium Density - greater than 8 and less than 14 residential units/gross residential acre.
- High Density - greater than 14 residential units/gross residential acre.

Table 4.6-2: Mitigation Fee Payment Calculation – Method 1 (Residential Focus)

Item	Units/Acres	Per Unit/ Per Acre Mitigation Fee (1)	Mitigation Fee Payment
Residential Development (2)	90 units	\$670 (high density)	\$60,300
Non-Residential Development (3)	0 acres	16,358	0
Backbone/Community-Serving (4)	0 acres	16,358	0
Total Mitigation Fee Payment (5)			\$60,300

(1) Fee schedule will be updated periodically. Fee schedule used for Example Calculations as follows:

Residential Development

Low Density (on average) \$3,635 per unit

Medium Density (on average) 1,515 per unit

High Density (on average) 670 per unit

All Other Development 16,358 per gross acre

(2) Residential mitigation fee payment covers residential units and associated in-tract infrastructure/ improvements and project resident-serving amenities. All infrastructure, improvements, and amenities that serve beyond the project residents is covered in separate component of the fee calculation.

(3) Includes land area associated with non-residential development, such as commercial/industrial buildings, parking, and landscaping, among other components.

(4) All infrastructure/improvements/amenities that serve beyond the project/project residents and that are not included in the non-residential development fee payment calculation included here.

(5) Mitigation fee payment calculation does not include any additional member jurisdiction administrative charges.

Table 4.6-3: Mitigation Fee Payment Calculation – Method 2 (Commercial/Project Area Focus)

Item	Units/Acres	Per Unit/ Per Acre Mitigation Fee (1)	Mitigation Fee Payment
Residential Development (2)	0 units	\$670 (high density)	\$0
Non-Residential Development (3)	3 acres	16,358	49,074
Backbone/Community-Serving (4)	0 acres	16,358	0
Total Mitigation Fee Payment (5)			\$49,074

(1) Fee schedule will be updated periodically. Fee schedule used for Example Calculations as follows:

Residential Development

Low Density (on average) \$3,635 per unit

Medium Density (on average) 1,515 per unit

High Density (on average) 670 per unit

All Other Development 16,358 per gross acre

(2) Residential mitigation fee payment covers residential units and associated in-tract infrastructure/ improvements and project resident-serving amenities. All infrastructure, improvements, and amenities that serve beyond the project residents is covered in separate component of the fee calculation.

(3) Includes land area associated with non-residential development, such as commercial/industrial buildings, parking, and landscaping, among other components.

(4) All infrastructure/improvements/amenities that serve beyond the project/project residents and that are not included in the non-residential development fee payment calculation included here.

(5) Mitigation fee payment calculation does not include any additional member jurisdiction administrative charges.

B. Public Project Examples

This section contains four (4) examples of public development projects, including one (1) Member Agency Civic Project and three (3) transportation/road projects. These examples are not intended to be all inclusive but rather give permittees guidance on calculating the mitigation fee payment given different project types, characteristics, and, in the case of road/transportation projects, different sources of funding. The Member Agency Civic Project example provides a brief narrative, a representation of the project layout, the development program description, and the mitigation payment calculation. The road/transportation examples provide a brief narrative of the project, cost estimates, key funding source information, and the mitigation payment calculation. Graphic layouts for the public road projects are not provided as the mitigation payment calculation is tied to costs and funding sources (not the specific layout of the project.)

As described in Chapter III and illustrated in the private project examples provided above in this chapter, mitigation payments for road and Member Agency Civic Projects that are developed by a private developer as part of a Private Project are calculated and made as part of the Private Project development mitigation payment.

Example 7 – Member Agency Civic Project

Member Agency Civic Projects includes the development of a library and park with adjacent parking lot. The parking lot will also serve as a park and ride location. The total acreage of the project is 6 acres (area inside red boundary). Please see the visual representation of the project layout (Figure 4.7-1), the development program data (Table 4.7-1), and mitigation payment calculations (Table 4.7-2) below.

Figure 4.7-1: Project Layout

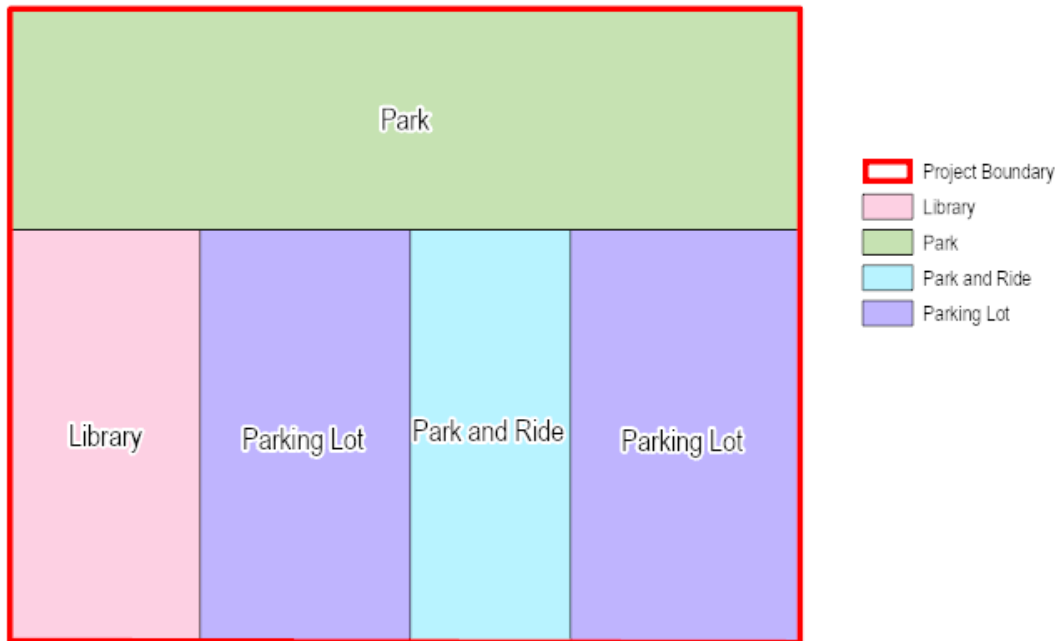


Table 4.7-1: Illustrative Development Program

Item	Amount
Library Area	1.0 acre
Park	2.0 acres
<u>Parking Area</u>	
Park and Ride Area	1.0 acre
General Parking Lot	<u>2.0</u> acres
Subtotal-Parking	3.0 acres
Gross Project Area	6.0 acres

Table 4.7-2: Mitigation Payment Calculation

Item	Amount
Gross Project Acres	6.0 acres
Mitigation Fee per Gross Acre (1)	\$16,358
<u>Total Mitigation Payment</u>	\$98,148

(1) Fee schedule will be updated periodically. Fee schedule used for example calculations is as follows:
Commercial/Industrial*

* Per gross acre fee for Local Public Capital Program is the same as for commercial/industrial development.

Example 8 – Road Widening with No Measure A or TUMF Funding

Road widening project with no Measure A or TUMF funding. Whole project is required to mitigate as project falls into the “new road, road widening, and other non-maintenance road projects” category that are required to mitigate (only maintenance projects costs such as road rehabilitation, restriping, and resealing are not required to mitigate). Total project cost is estimated at \$5.5 million, including total direct construction costs of \$4.4 million (including the construction cost contingency), \$1.1 million in soft costs, and no land/right of way (ROW) acquisition costs. Please see the example road project cost estimates data (Table 4.8-1), the funding source information (Table 4.8-2), and the mitigation payment calculations (Table 4.8-3) below.

Table 4.8-1: Illustrative Project Costs

Cost Item	Cost
NEW ROAD, ROAD WIDENING,-OTHER NON-MAINTENANCE PROJECTS, OR OTHER LINEAR INFRASTRUCTURE PROJECTS (1)	
Construction Costs	
Base Construction Costs	\$4,000,000 (3)
<u>Change Orders/Contingency</u>	400,000 (4)
Total Construction Costs	4,400,000
Soft Costs	1,100,000 (5)
Land Acquisition/ROW Costs	0
Total Capacity-Increasing Cost	5,500,000
MAINTENANCE PROJECTS (2)	
Total Construction Costs	0
Total Soft Costs	0
Total Non-Capacity-Increasing Cost	0
TOTAL PROJECT COSTS/USES	\$5,500,000

(1) Total Construction costs for new roads, road widening, other non-maintenance and other linear infrastructure projects are included in the mitigation fee payment calculation (see Table 4.8-3).

(2) Examples of maintenance projects include road rehabilitation, re-striping, and resealing. See Chapter 7, Definitions for full list of maintenance projects that are not required to mitigate.

(3) Initial fee payment calculations made on construction cost and construction contingency cost estimates. Additional fee payments also due on any change orders that add net costs above-and-beyond the initial construction cost contingency estimates.

(4) For illustrative purposes shown as 10% of base construction cost. Contingency (and future Change Orders) will vary by project.

(5) For illustrative purposes shown as 25% of total construction costs.

Table 4.8-2: Illustrative Funding Sources

Cost Item	Amount	% of Total
TUMF/Measure A Funding		
TUMF Fee Revenues	\$0	0%
Measure A Funding	<u>0</u>	<u>0%</u>
Subtotal	0	0%
Other Funding	5,500,000	100%
TOTAL PROJECT FUNDING/SOURCES	\$5,500,000	100%

Table 4.8-3: Mitigation Payment Calculation

Cost Item	Amount	Source/ Calculation
TOTAL PROJECT COSTS	\$5,500,000	a See Table 4.8-1
TOTAL CAPACITY-INCREASING CONSTRUCTION COST	4,400,000	b See Table 4.8-1
% of FUNDING FROM OTHER FUNDING SOURCES (1)	100%	c See Table 4.8-2
ELIGIBLE COST BASIS FOR MITIGATION PAYMENT CALCULATION	4,400,000	d = b * c Calculation
MITIGATION FEE PAYMENT DUE FROM LOCAL JURISDICTION (2)	\$220,000	e = d * 5% Calculation

(1) Other funding sources includes all costs not funded by TUMF or Measure A revenues as calculated in Table 4.8-2.

(2) Mitigation fee payment by permitting agency is 5% of eligible construction cost.

Example 9 – Road Widening Project with 20% Measure A/TUMF Funding

Road widening project with 20 percent of funding from Measure A and TUMF funding. Whole project is required to mitigate as project - new road, road widening, and other non-maintenance road projects are required to mitigate (only maintenance costs are not required to mitigate). However, 20 percent of the project will be mitigated separately through TUMF or Measure A funding. Total projects cost is estimated at \$5.5 million, including total direct construction costs of \$4.4 million (including the construction cost contingency), \$1.1 million in soft costs, and no land/ROW acquisition costs. Please see the example road project cost estimates data (Table 4.9-1), the funding source information (Table 4.9-2), and the mitigation payment calculations (Table 4.9-3) below.

Table 4.9-1: Illustrative Project Costs

Cost Item	Cost
NEW ROAD, ROAD WIDENING, OTHER NON-MAINTENANCE PROJECTS, OR OTHER LINEAR INFRASTRUCTURE PROJECTS (1)	
Construction Costs	
Base Construction Costs	\$4,000,000 (3)
<u>Change Orders/Contingency</u>	400,000 (4)
Total Construction Costs	4,400,000
Soft Costs	1,100,000 (5)
Land Acquisition/ROW Costs	0
Total Capacity-Increasing Cost	5,500,000
MAINTENANCE PROJECTS (2)	
Total Construction Costs	0
Total Soft Costs	0
Total Non-Capacity-Increasing Cost	0
TOTAL PROJECT COSTS/USES	\$5,500,000

(1) Total Construction costs for new roads, road widening, other non-maintenance and other linear infrastructure projects are included in the mitigation fee payment calculation (see Table 4.9-3).

(2) Examples of maintenance projects include road rehabilitation, re-striping, and resealing. See Chapter 7, Definitions for full list of maintenance projects that are not required to mitigate.

(3) Initial fee payment calculations made on construction cost and construction contingency cost estimates. Additional fee payments also due on any change orders that add net costs above-and-beyond the initial construction cost contingency estimates.

(4) For illustrative purposes shown as 10% of base construction cost. Contingency (and future Change Orders) will vary by project.

(5) For illustrative purposes shown as 25% of total construction costs.

Table 4.9-2: Funding Sources

Cost Item	Amount	% of Total
TUMF/Measure A Funding		
TUMF Fee Revenues	\$800,000	15%
Measure A Funding	<u>300,000</u>	<u>5%</u>
Subtotal	1,100,000	20%
Other Funding	4,400,000	80%
TOTAL PROJECT FUNDING/SOURCES	\$5,500,000	100%

Table 4.9-3: Mitigation Fee Payment Calculation

Cost Item	Amount	Source/ Calculation
TOTAL PROJECT COSTS	\$5,500,000	a See Table 4.9-1
TOTAL CAPACITY-INCREASING CONSTRUCTION COST	4,400,000	b See Table 4.9-1
% of FUNDING FROM OTHER FUNDING SOURCES (1)	80%	c See Table 4.9-2
ELIGIBLE COST BASIS FOR MITIGATION PAYMENT CALCULATION	3,520,000	d = b * c Calculation
MITIGATION FEE PAYMENT DUE FROM LOCAL JURISDICTION (2)	\$176,000	e = d * 5% Calculation

(1) Other funding sources includes all costs not funded by TUMF or Measure A revenues as calculated in Table 4.9-2. In cases where Measure A/TUMF funding is allocated for specific project cost categories, additional calculations and allocations may be appropriate. In these cases, please contact RCA staff and provide documentation of funding restrictions for support on the appropriate mitigation fee payment calculation.

(2) Mitigation fee payment by permitting agency is 5% of eligible construction cost.

Example 10 - Combined New Road/Road Rehabilitation Project with 50% Measure A/TUMF Funding

Road project that includes the development of a new segment of road along with rehabilitation of a segment of existing roadway. Road project is 50 percent funded through Measure A or TUMF funds. Total project costs are \$8 million. About \$6 million is associated with the new road, including \$4.4 million in direct construction costs (including the construction cost contingency), \$1.1 million in soft costs, and \$500,000 in land acquisition costs. About \$2 million (25 percent of overall project cost) is associated with rehabilitation of the existing roadway, including \$1.6 million in direct construction costs (including the construction cost contingency) and \$400,000 in soft costs. Please see the example road project cost estimates data (Table 4.10-1), the funding source information (Table 4.10-2), and the mitigation payment calculations (Table 4.10-3) below.

Table 4.10-1: Cost Estimates

Cost Item	Cost
NEW ROAD, ROAD WIDENING, OTHER NON-MAINTENANCE PROJECTS, OR OTHER LINEAR INFRASTRUCTURE PROJECTS (1)	
Construction Costs	
Base Construction Costs	\$4,000,000 (3)
<u>Change Orders/Contingency</u>	400,000 (4)
Total Construction Costs	4,400,000
Soft Costs	1,100,000 (5)
Land Acquisition/ROW Costs	500,000
Total Capacity-Increasing Cost	6,000,000
NON-CAPACITY INCREASING	
Total Construction Costs	1,600,000
Total Soft Costs	400,000 (5)
Total Non-Capacity-Increasing Cost	2,000,000
TOTAL PROJECT COSTS/USES	\$8,000,000

(1) Total Construction costs for new roads, road widening, other non-maintenance and other linear infrastructure projects are included in the mitigation fee payment calculation (see Table 4.10-3).

(2) Examples of maintenance projects include road rehabilitation, re-striping, and resealing. See Chapter 7, Definitions for full list of maintenance projects that are not required to mitigate.

(3) Initial fee payment calculations made on construction cost and construction contingency cost estimates. Additional fee payments also due on any change orders that add net costs above-and-beyond the initial construction cost contingency estimates.

(4) For illustrative purposes shown as 10% of base construction cost. Contingency (and future Change Orders) will vary by project.

(5) For illustrative purposes shown as 25% of total construction costs.

Table 4.10-2: Funding Sources

Cost Item	Amount	% of Total
TUMF/Measure A Funding		
TUMF Fee Revenues	\$2,000,000	25%
Measure A Funding	<u>2,000,000</u>	<u>25%</u>
Subtotal	4,000,000	50%
Other Funding	4,000,000	50%
TOTAL PROJECT FUNDING/SOURCES	\$8,000,000	100%

Table 4.10-3: Mitigation Payment Calculation

Cost Item	Amount	Source/ Calculation
TOTAL PROJECT COSTS	\$8,000,000	a See Table 4.10-1
TOTAL CAPACITY-INCREASING CONSTRUCTION COST	4,400,000	b See Table 4.10-1
% of FUNDING FROM OTHER FUNDING SOURCES (1)	50%	c See Table 4.10-2
ELIGIBLE COST BASIS FOR MITIGATION PAYMENT CALCULATION	2,200,000	d = b *c Calculation
MITIGATION FEE PAYMENT DUE FROM LOCAL JURISDICTION (2)	\$110,000	e = d * 5% Calculation

(1) Other funding sources includes all costs not funded by TUMF or Measure A revenues as calculated in Table 4.10-2. In cases where Measure A/TUMF funding is allocated for specific project cost categories, additional calculations and allocations may be appropriate. In these cases, please contact RCA staff and provide documentation of funding restrictions for support on the appropriate mitigation fee payment calculation.

(2) Mitigation fee payment by permitting agency is 5% of eligible construction cost.



Banded Gecko

V. MITIGATION FEE
FORMS



CHAPTER V. MITIGATION FEE FORMS

RCA has four fee submittal forms for Member Agencies to use in submitting information related to fee collection and payment including the Development Mitigation Fee Submittal Form, Qualified Infrastructure Fee Submittal Form, Flood Control Projects Fee Submittal Form, and Civic Projects Fee Submittal Form. The forms are updated before the beginning of each fiscal year by staff. Member Agencies must use the form related to the fiscal year of the payment. All forms can be found in the Document Library of the RCA website (www.wrc-rca.org) under Fees.

A. Development Mitigation Fee Submittal Form

The Development Mitigation Fee Submittal Form is used by Member Agencies to report LDMF fees collected related to residential, commercial, and industrial projects. The form is reviewed and updated annually with the current LDMF fees. Member Agencies should provide all requested information on the form.

The second tab is for reporting exemptions related to development agreements to the RCA.

The third tab is for reporting ADUs and additions. The fourth tab provides instructions on filling out the third tab.

Forms should be emailed to RCA monthly at ldmf-rca@rctc.org even if no fees are remitted for the month. Please remit the form by the 5th day of the following month.

B. Qualified Infrastructure Fee Submittal Form

The Qualified Infrastructure Fee Submittal Form is used by Member Agencies to report LDMF fees related to linear construction contracts. The form includes the report plus a worksheet. The worksheet (tab 2) and related instructions (tab 3) are intended to help Member Agencies determine if the Linear Project contract results in fees which must be remitted to the RCA, or if the contract and related project are exempt. The form is reviewed and updated annually. Member Agencies should provide all requested information on the form and the worksheet.

Forms should be emailed to RCA monthly at ldmf-rca@rctc.org even if no fees are remitted for the month. The worksheet should be remitted as well for all Linear Projects even if the project is determined to be exempt. Please remit the forms by the 5th day of the following month.

C. Flood Control Projects Fee Submittal Form

The Flood Control Projects Fee Submittal Form is used to report LDMF fees related to construction contracts for Riverside County Flood Control related projects. The form is reviewed and updated annually. Riverside County Flood Control should provide all requested information on the form.

Forms should be emailed to RCA monthly at ldmf-rca@rctc.org even if no fees are remitted for the month. Please remit the form by the 5th day of the following month.

D. Civic Projects Fee Submittal Form

The Civic Projects Fee Submittal Form is used by Member Agencies to report LDMF fees related to all other Member Agency construction contracts besides roadway and Flood Control Projects. The form is reviewed and updated annually with the current LDMF fees. Member Agencies should provide all requested information on the form.

Forms should be emailed to RCA monthly at ldmf-rca@rctc.org even if no fees are remitted for the month. Please remit the form by the 5th day of the following month.



Quino Checkerspot Butterfly

VI. OTHER ISSUES



CHAPTER VI. OTHER ISSUES

Other situations which Member Agencies may rarely address are discussed in this chapter. These include the Silverado Conservation Bank, Agricultural Operations, and the Legacy Home Rebate Pilot Program.

A. Silverado Conservation Bank

The Silverado Conservation Bank is a private mitigation area consisting of lands subject to a recorded conservation easement resulting in conservation credits available to satisfy developer fee requirements set forth in the MSHCP.

In accordance with Section 4.6.1 of the MSHCP, RCA entered into a Settlement and Release Agreement with Silverado Conservation Bank (Silverado) dated July 17, 2017, which allows a developer to satisfy its LDMF fee requirements through a private transaction with Silverado wherein the developer and Silverado are free to negotiate an amount that would otherwise be paid to the Member Agency.

A transaction under this program can be used within the jurisdiction of any Member Agency for any project whether for industrial, commercial, or residential projects, provided that such project is required to pay the LDMF fee.

Once a developer has entered into a separate agreement with Silverado to satisfy its LDMF fee requirements through a private transaction with Silverado, Silverado will notify the U.S. Fish and Wildlife Service (Service), the California Department of Fish and Wildlife (CDFW), and the RCA requesting approval for the transaction from the Service and CDFW. The Service and CDFW shall give approval, if appropriate, within ten business days. Thereafter, the RCA will send notice to the local jurisdiction overseeing the project notifying them that the LDMF fee requirements are satisfied by the transaction with Silverado. Developers pay the agreed upon amount to Silverado directly.

B. Agricultural Operations

The MSHCP LDMF that is calculated on Agriculture Operations is governed by Section 6.2 (pages 6-56 through 6-61) of the MSHCP. However, this section is further modified by the 2004 Riverside County Farm Bureau Settlement Agreement (Settlement Agreement).

The MSHCP section 6.2(A) defines agricultural operations as “the production of all plants (horticulture), fish farms, animals and related production activities, including the planting, cultivation and tillage of the soil, dairying, and apiculture; and the production, plowing, seeding, cultivation, growing, harvesting, pasturing and fallowing for the purpose of crop rotation or any agricultural commodity, including viticulture, apiculture, horticulture, and the breeding, feeding and raising of livestock, horses, fur-bearing animals, fish, or poultry, the operation, management, conservation, improvement or maintenance of a farm or ranch and its buildings, tool and equipment; the construction, operation and maintenance of ditches, canals, reservoirs, wells and/or waterways used for farming or ranching

purposes and all uses conducted as a normal part of such Agricultural Operations; provided such actions are in compliance with all applicable laws and regulations.”

The MSHCP provides take authorization by the Service and CDFW for current and a limited amount of future Agricultural Operations, as defined by the MSHCP, throughout the western County and cities and mitigation for biological impacts to Covered Species under the California Environmental Quality Act and National Environmental Policy Act without the need to comply with MSHCP survey, mitigation, and adjacency requirements; Criteria; the Habitat Evaluation and Negotiation Strategy (HANS) process; and MSHCP Mitigation Fee. However, the MSHCP and Settlement Agreement only exempt the expansion of “Existing Agricultural Operations” from the payment of fees that require a discretionary permit when the expansion is (a) less than 50 percent of (1) the existing developed building square footage or (2) the area subject to existing permitted uses on the entire landholding (plus the area subject to uses similar to the proposed use if a discretionary permit was not previously required for the proposed use), or (b) less than two acres in size. “Existing Agricultural Operations” are those lands within MSHCP boundaries actively being used for ongoing Agricultural Operations for at least one of the last five years preceding the Effective Date of the IA. Except for this fee exemption there is no fee exemption for the expansion of Existing Agricultural Operations. The Agriculture Compliance Process Flowchart (Ag Flowchart) provided in the appendices illustrates these processes.

For reference, the Farm Bureau Settlement is also provided in the appendices. Exhibit A to the Farm Bureau Settlement discusses new agricultural operations among other important topics. Please also see the RCA website at www.wrc-rca.org for the Ag Flowchart and all related attachments.

C. Legacy Home Rebate Pilot Program

On March 1, 2021, the RCA Board of Directors adopted Resolution 2021-007, Resolution of the Board of Directors of the Western Riverside County Regional Conservation Authority Adopting an RCA Home Legacy Rebate Pilot Program. For reference the resolution is provided in the appendices.

1. **Rebate** Eligible homeowners may apply to the RCA for a rebate in the amount of the difference between the LDMF at the time of payment and the LDMF as of June 30, 2021, adjusted according to changes in the Consumer Price Index (CPI) for the Riverside-San Bernardino-Ontario metropolitan area.
2. **Eligibility** Eligibility is determined based on ownership of the land, construction of the primary residence, payment made in full, occupancy, and limited to one rebate per applicant. Resolution 2021-007 Exhibit A should be reviewed for eligibility specifics.
3. **Budget** Annually \$70,500 will be set aside in FY 2023 to provide up to 50 rebates. If the funds are exhausted, the RCA Board of Directors

may approve a mid-year budget adjustment or begin a queue for the following fiscal year until the sunset date.

4. **Sunset Date** The pilot program will sunset on June 30, 2025.



Long-Tailed Weasel

VII. DEFINITIONS



DEFINITIONS

(Including Definitions defined in the Fee Ordinances):

“Accessory Dwelling Unit” means an accessory dwelling unit as defined by California Government Code section 65852.2(j)(1), or as defined in any successor statute. (see Chapter III, Section B.1.b.). Per California Government Code section 65852.2(j)(1) an “accessory dwelling unit means an attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multifamily dwelling is or will be situated.”

“Agriculture Operations” The MSHCP section 6.2(A) defines agricultural operations as “the production of all plants (horticulture), fish farms, animals and related production activities, including the planting, cultivation and tillage of the soil, dairying, and apiculture; and the production, plowing, seeding, cultivation, growing, harvesting, pasturing and fallowing for the purpose of crop rotation or any agricultural commodity, including viticulture, apiculture, horticulture, and the breeding, feeding and raising of livestock, horses, fur-bearing animals, fish, or poultry, the operation, management, conservation, improvement or maintenance of a farm or ranch and its buildings, tool and equipment; the construction, operation and maintenance of ditches, canals, reservoirs, wells and/or waterways used for farming or ranching purposes and all uses conducted as a normal part of such Agricultural Operations; provided such actions are in compliance with all applicable laws and regulations.”

“City/County Civic Projects” means all non-linear City and County projects, including City/County administrative facilities, jails, courts, juvenile facilities, parks, libraries, and all other facilities that serve the public.

“City/County Road Projects” means all City and County road projects.

“Construction Cost” means and includes the cost of the entire construction of the roadway project, including all supervision, materials, supplies, labor, tools, equipment, transportation and/or other facilities furnished, used or consumed, without deduction on account of penalties, liquidated damages or other amounts withheld from payment to the contractor or contractors, but such cost shall not include the Consulting Engineer/Architect’s fee, or other payments to the Consulting Engineer/Architect and shall not include cost of land or ROW and Easement acquisition.

“Credit” means a credit allowed pursuant to the Fee Ordinances, which may be applied against the development impact fee paid.

“Development” means a human-created change to improved or unimproved real estate, including buildings or other structures, mining, dredging, filling, grading, paving, excavating, and drilling.

“Development Project” or **“Project”** means any project undertaken for the purpose of development pursuant to the issuance of a building permit by the City/County pursuant to all applicable ordinances, regulations, and rules of the City/County and state law.

“Fuel modification area” means an area established adjacent to structures or roads in which highly combustible native plants, invasive introduced, or ornamental plants are modified and/or totally replaced with fire resistant or drought resistant alternatives, or areas subject to hazardous abatement orders.

“Gross Community-Serving Area/Acres” means the area of residential projects that provide infrastructure, improvements, and amenities that go beyond only serving project residents and hence are “community-serving”. This includes, but is not limited to, roads that serve multiple projects, parks that serve more than one residential project, parking that serves other uses/developments etc. The acreage associated with these improvements/amenities are part of the gross project acreage but distinct from project resident-serving improvements/amenities and the gross residential area.

“Gross Project Area/Acres” means is the total or gross areas of the project. This overall acreage can only be reduced under unique circumstances.

“Gross Residential Area/Acres” means the total area of the project dedicated to residential land uses and includes residential buildings as well as “Project Resident-Serving” Infrastructure/Improvements/Amenities.

“Hazardous vegetation” means vegetation that is flammable and endangers the public safety by creating a fire hazard, including, but not limited to, seasonal and recurrent weeds, stubble, brush, dry leaves, and tumbleweeds.

“Junior Accessory Dwelling Unit” means a junior accessory dwelling unit as defined by California Government Code section 65852.22(h)(1), or as defined in any successor statute. (see Chapter III, Section B.1.b.).

“Linear Projects” means all infrastructure projects of a linear nature constructed by Member Agencies, such as pipelines. Linear projects for participating special entities means regional utility projects that will be constructed to serve Development, such as major trunk lines.

“Local Development Mitigation Fee” or **“Fee”** means the development impact fee imposed by the Fee Ordinances.

“Maintenance Projects” means projects that include, but are not limited to, pavement repairs, tree trimming, bridge maintenance, and pavement restriping and roadway reconstruction which do not add new lanes.

“Manufactured slope” means a slope created by natural landform alteration (grading), by cutting or filling a natural slope, or importing fill material to create a slope.

“Member Agency” or “Member Agencies” means those Cities and the County that are signatories to the RCA Joint Powers Agreement.

“Multiple Species Habitat Conservation Plan” or “MSHCP” means the Western Riverside County Multiple Species Habitat Conservation Plan

“MSHCP Conservation Area” has the same meaning and intent as such term is defined and utilized in the MSHCP.

“Non-Linear Projects” means all PSE projects that are non-linear in form.

“Ordinance” means the Fee Ordinance adopted by the Cities and the County to implement the MSHCP Local Development Mitigation Fee.

“Private Projects” means those projects where the primary project purpose is for use by households, business, or other private entities (i.e. not accessible to the public except where allowed by private owner/renter). This category also includes Private Projects that receive public support (e.g., support through direct public investments in infrastructure, ground leases of publicly owned land, or direct investment of public dollars in projects such as affordable housing).

“Project Area” means the total area, measured in acres, within the Development Project including, without limitation, any areas to be developed as a condition of the Development Project (e.g. fuel modification areas and temporary impacts (excluding staging areas)). Except as otherwise provided herein, the Project Area is the area upon which the project will be assessed the LDMF. See Chapter 2.E. of this Manual for additional guidance for calculating the Project Area.

“Project Resident-Serving Infrastructure/Improvements/Amenities” means Infrastructure/improvements, and amenities that only serve project residents and include, but are not limited to, roads, parks, and non-residential buildings that only serve project residents.

“Public Projects” means all City/County Civic Projects and all City/County Road Projects. These Public Projects include infrastructure (roads and linear) projects, civic projects, and Riverside County Flood Control District projects.

“Revenue” or “Revenues” means any funds received by the City/County pursuant to the provisions of the Fee Ordinances for the purpose of defraying all or a portion of the cost of acquiring and preserving vegetation communities and natural areas within the City/County and the region which are known to support threatened, endangered, or key sensitive populations of plant and wildlife species.

“Riverside County Flood Control District Projects” means all Riverside County Flood Control and Water Conservation District projects.

“Second Units and Guest Quarters” shall be treated the same as Additional Dwelling Units for the purposes of calculation of the Local Development Mitigation Fee and shall follow all guidance in this manual related to Additional Dwelling Units.

“Usable Square Footage” means habitable (conditioned) space.

“Western Riverside County Regional Conservation Authority” or **“RCA”** means the governing body established pursuant to the MSHCP that is delegated the authority to oversee and implement the provisions of the MSHCP.

Any capitalized term not otherwise defined herein shall carry the same meaning and definition as that term is used and defined in the MSHCP.



2019 Poppy Superbloom

VIII. APPENDICES



CHAPTER VIII. APPENDICES

The following items are included as appendices to add clarity to items discussed herein.

1. Pages 41 through 46 of the Implementing Agreement which refer to the Member Agencies obligations of the western Riverside County cities and the County of Riverside;
2. The Agriculture Compliance Process Flowchart;
3. The 2004 Riverside County Farm Bureau Settlement Agreement; and
4. Resolution 2021-007 – Adopting an RCA Legacy Home Rebate Pilot Program.

IMPLEMENTING AGREEMENT

for the

WESTERN RIVERSIDE COUNTY MULTIPLE SPECIES
HABITAT CONSERVATION PLAN/NATURAL
COMMUNITY CONSERVATION PLAN

by and between

WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY,
COUNTY OF RIVERSIDE, RIVERSIDE COUNTY FLOOD CONTROL AND WATER
CONSERVATION DISTRICT, RIVERSIDE COUNTY REGIONAL PARKS AND OPEN
SPACE DISTRICT, RIVERSIDE COUNTY WASTE MANAGEMENT DISTRICT,
RIVERSIDE COUNTY TRANSPORTATION COMMISSION, CITY OF BANNING, CITY OF
BEAUMONT, CITY OF CALIMESA, CITY OF CANYON LAKE, CITY OF CORONA, CITY
OF HEMET, CITY OF LAKE ELSINORE, CITY OF MORENO VALLEY, CITY OF
MURRIETA, CITY OF NORCO, CITY OF PERRIS, CITY OF RIVERSIDE, CITY OF SAN
JACINTO, CITY OF TEMECULA, CALIFORNIA DEPARTMENT OF TRANSPORTATION,
CALIFORNIA DEPARTMENT OF PARKS AND RECREATION, UNITED STATES FISH
AND WILDLIFE SERVICE AND CALIFORNIA DEPARTMENT OF FISH AND GAME

12.4 State Permittee Obligations. The State Permittees are responsible for the acquisition costs for 6,000 acres of Additional Reserve Lands as their contribution towards Reserve Assembly. These responsibilities are set forth in Sections 13.8 and 13.9 of this Agreement and Section 8.0 of the MSHCP.

13.0 PERMITTEES' TAKE AUTHORIZATION AND OBLIGATIONS

13.1 Permittees' Take Authorization. Each Permittee may engage in, and receive Take Authorization for, Covered Activities as set forth in Section 7.0 of the MSHCP. Additionally, the RCA may confer Take Authorization for Covered Activities as set forth in Section 6.6 of the MSHCP. The County and Cities may also confer Take Authorization and approve projects proposed within their respective jurisdictions, as set forth in Sections 7.1 and 7.3.1 of the MSHCP. The RCA, County and Cities may also confer Take Authorization through the issuance of a Certificate of Inclusion or other written mechanism as set forth in Sections 11.3 and 11.8 of this Agreement.

13.2 County and Cities Obligations. The County and the Cities have the following obligations under the MSHCP and this Agreement;

- A. Adopt and maintain ordinances or resolutions as necessary, and amend their general plans as appropriate, to implement the requirements and to fulfill the purposes of the Permits, the MSHCP and this Agreement for private and public Development projects. Such requirements and policies include: 1) the collection of Local Development Mitigation Fees and other relevant fees as set forth in Section 8.5 of the MSHCP; 2) compliance with the HANS process or equivalent process to ensure application of the Criteria and thus, satisfaction of the local acquisition obligation; 3) compliance with the policies for the Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools, set forth in Section 6.1.2 of the MSHCP; 4) compliance with the policies for the Protection of Narrow Endemic Plant Species set forth in Section 6.1.3 of the MSHCP; 5) require surveys as set forth in Section 6.3.2 of the MSHCP; 6) compliance with the Urban/Wildlands Interface Guidelines as set forth in Section 6.1.4 of the MSHCP; and 7) compliance with the Best Management Practices and the siting and design criteria as set forth in Section 7.0 and Appendix C of the MSHCP. The County and the Cities shall transmit to the RCA and the Wildlife Agencies relevant documents showing adoption and/or execution of the Implementation Mechanisms and any subsequent amendments thereto.
- B. Transmit any collected Local Development Mitigation Fees, other appropriate fees and associated interest as described in Section 8.5 of the MSHCP to the RCA at least quarterly.

- C. Contribute to Plan implementation and Reserve Assembly as determined appropriate by the affected Permittee for County and City public projects, including, but not limited to, any one or any combination of the following: 1) acquisition of replacement habitat at a 1:1 ratio that is biologically equivalent or superior to the property being disturbed; or 2) payment of the Local Development Mitigation Fees as established for commercial and industrial Development. Such contribution shall occur prior to impacts to Covered Species and their habitats.
- D. Participate as a member agency in the RCA as set forth in Section 6.6.2 of the MSHCP.
- E. Notify the RCA, through the Joint Project/Acquisition Review Process set forth in Section 6.6.2 of the MSHCP, of proposed discretionary projects within the Criteria Area and participate in any further requirements imposed by that section.
- F. Take all necessary and appropriate actions, following its applicable land use permit enforcement procedures and practices, to enforce the terms of project approvals for public and private projects, including compliance with the MSHCP, the Permits and this Agreement.
- G. Carry out all other applicable requirements of the MSHCP, this Agreement and the Permits. Notwithstanding the foregoing, nothing within this Agreement shall be construed to require any local government to provide funding, or any other form of compensation, beyond the fees collected, dedicated lands required pursuant to this Agreement and the MSHCP or other mitigation agreed to by the appropriate Parties, consistent with the terms and conditions of the MSHCP.
- H. Manage MSHCP Conservation Area property or conservation easements owned or leased by the County or respective City pursuant to Sections 5.0 and 8.0 of the MSHCP.
- I. Participate as a member of the RMOC as set forth in Section 6.6.4 of the MSHCP.

13.3 Regional Conservation Authority Obligations. The RCA has the following obligations under the MSHCP and this Agreement:

- A. Adopt and maintain resolutions as necessary to implement the requirements and to fulfill the purposes of the Permits, the MSHCP and this Agreement for its public projects, if any and for issuance of Take Authorization for

Participating Special Entities. Such requirements include: 1) collection of Local Development Mitigation Fees; 2) compliance with the policies for the Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools as set forth in Section 6.1.2 of the MSHCP; 3) compliance with the policies for the Protection of Narrow Endemic Plant Species as set forth in Section 6.1.3 of the MSHCP; 4) require surveys as set forth in Section 6.3.2 of the MSHCP; 5) compliance with the Urban/Wildlands Interface Guidelines as set forth in Section 6.1.4 of the MSHCP; and 6) compliance with the Best Management Practices and the siting and design criteria as set forth in Section 7.0 and Appendix C of the MSHCP.

- B. Administer and oversee implementation of the MSHCP as set forth in Section 6.0 of the MSHCP.
- C. Collect and expend Local Development Mitigation Fees and other applicable funds as described in Section 8.5 of the MSHCP.
- D. Transfer Take Authorization to Participating Special Entities pursuant to Section 11.8 of this Agreement.
- E. Accept and manage and monitor MSHCP Conservation Area property including conservation easements that have been conveyed to the RCA by the County, Cities or other entity, agency or individual, pursuant to Sections 5.0 and 8.0 of the MSHCP.
- F. Carry out all other applicable requirements of the MSHCP, this Agreement, and the Permits. Notwithstanding the foregoing, nothing within this Agreement shall be construed to require the RCA to provide funding, or any other form of compensation, beyond the fees collected or dedicated lands required pursuant to the Permits, this Agreement and the MSHCP, consistent with the terms and conditions of the MSHCP.
- G. Take all necessary and appropriate actions to enforce the terms of the Permits, the MSHCP and this Agreement.
- H. Participate as a member of the RMOC as set forth in Section 6.6.4 of the MSHCP.

13.4 County Flood Control Obligations. County Flood Control has the following obligations under the MSHCP and this Agreement:

- A. Adopt and maintain resolutions as necessary to implement the requirements and to fulfill the purposes of the Permits, the MSHCP and this Agreement for

its Covered Activities. Such requirements include: 1) compliance with the policies for the Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools as set forth in Section 6.1.2 of the MSHCP; 2) compliance with the policies for the Protection of Narrow Endemic Plant Species as set forth in Section 6.1.3 of the MSHCP; 3) conduct surveys as set forth in Section 6.3.2 of the MSHCP; 4) compliance with all requirements of Section 7.3.7 of the MSHCP; 5) compliance with the Urban/Wildlands Interface Guidelines as set forth in Section 6.1.4 of the MSHCP; and 6) compliance with the Best Management Practices and the siting and design criteria as set forth in Section 7.0 and Appendix C of the MSHCP.

- B. Contribute mitigation through payment of 3% of total capital costs for a Covered Activity. Such payment may be offset through acquisition of replacement habitat or creation of new habitat for the benefit of Covered Species, as appropriate. Such mitigation shall be implemented prior to impacts to Covered Species and their habitats.
- C. Manage land owned or leased within the MSHCP Conservation Area that has been set aside for conservation purposes pursuant to a management agreement to be executed between County Flood Control and CDFG.
- D. Carry out all other applicable requirements of the MSHCP, this Agreement and the Permits. Notwithstanding the foregoing, nothing in this Agreement shall be construed to require County Flood Control to provide funding, or any other form of compensation, beyond the fees collected or dedicated lands required pursuant to the Permits, this Agreement and the MSHCP, consistent with the terms and conditions of the MSHCP.
- E. Participate as a member of the RMOC as set forth in Section 6.6.4 of the MSHCP.

13.5 County Parks Obligations. County Parks has the following obligations under the MSHCP and this Agreement:

- A. Adopt and maintain resolutions as necessary to implement the requirements and to fulfill the purposes of the Permits, the MSHCP and this Agreement for its Covered Activities. Such requirements include: 1) compliance with the policies for the Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools as set forth in Section 6.1.2 of the MSHCP; 2) compliance with the policies for the Protection of Narrow Endemic Plant Species as set forth in Section 6.1.3 of the MSHCP; 3) conduct surveys as set forth in Section 6.3.2 of the MSHCP; 4) compliance with the Urban/Wildlands Interface Guidelines as set forth in Section 6.1.4 of the

MSHCP; and 5) compliance with the Best Management Practices and all other requirements of Section 7.0 and Appendix C of the MSHCP.

- B. Contribute to Plan implementation and Reserve Assembly as determined appropriate by County Parks for its Covered Activities, including, but not limited to, any one or any combination of the following: 1) acquisition of replacement habitat at a 1:1 ratio that is biologically equivalent or superior to the property being disturbed; or 2) payment of Local Development Mitigation Fees as established by the County for commercial and industrial Development. Such contribution shall occur prior to impacts to Covered Species and their habitats.
- C. Manage and monitor land owned or leased within the MSHCP Conservation Area that has been set aside for conservation purposes pursuant to Section 5.0 of the MSHCP, and funding for such management and monitoring shall be provided pursuant to Section 8.0 of the MSHCP.
- D. Carry out all other applicable requirements of the MSHCP, this Agreement and the Permits. Notwithstanding the foregoing, nothing in this Agreement shall be construed to require County Parks to provide funding, or any other form of compensation, beyond the requirements of the Permits, this Agreement and the MSHCP, consistent with the terms and conditions of the MSHCP.
- E. Participate as a member of the RMOC as set forth in Section 6.6.4 of the MSHCP.

13.6 County Waste Obligations. County Waste has the following obligations under the MSHCP and this Agreement:

- A. Adopt and maintain resolutions as necessary to implement the requirements and to fulfill the purposes of the Permits, the MSHCP and this Agreement for its Covered Activities. Such requirements include: 1) contribution of landfill tipping fees as set forth in Section 8.5 of the MSHCP; 2) compliance with the policies for the Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools as set forth in Section 6.1.2 of the MSHCP; 3) compliance with the policies for the Protection of Narrow Endemic Plant Species as set forth in Section 6.1.3 of the MSHCP; 4) conduct surveys as set forth in Section 6.3.2 of the MSHCP; 5) compliance with the Urban/Wildlands Interface Guidelines as set forth in Section 6.1.4 of the MSHCP; and 6) compliance with the Best Management Practices and all other requirements of Section 7.0 and Appendix C of the MSHCP.

- B. Manage land owned within the MSHCP Conservation Area that has been set aside for conservation purposes pursuant to Section 5.0 of the MSHCP and funding for such management shall be provided pursuant to Section 8.0 of the MSHCP.
- C. Carry out all other applicable requirements of the MSHCP, this Agreement, and the Permits. Notwithstanding the foregoing, nothing within this Agreement shall be construed to require County Waste to provide funding, or any other form of compensation, beyond the requirements of the Permits, this Agreement and the MSHCP, consistent with the terms and conditions of the MSHCP.

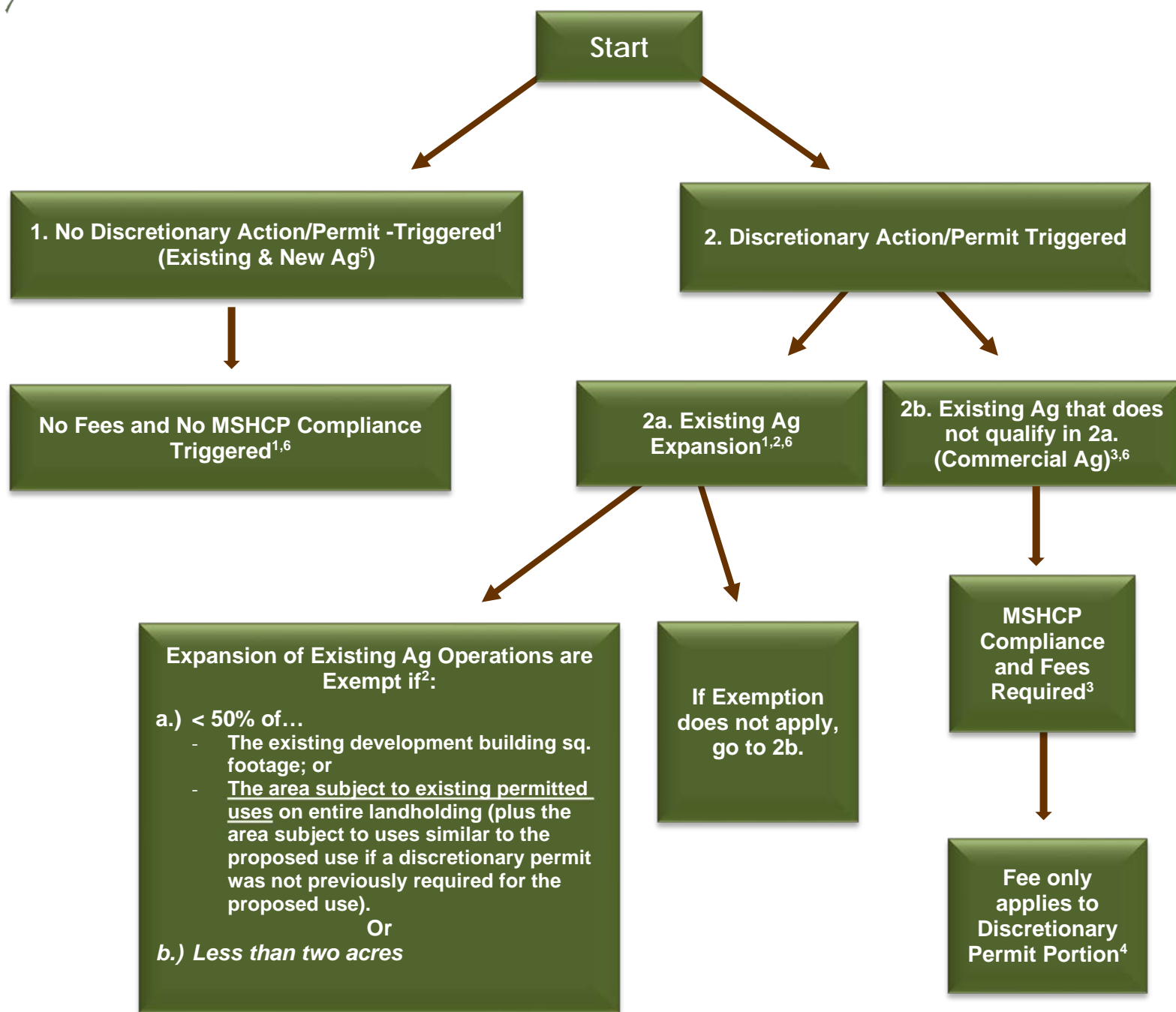
13.7 RCTC Obligations. RCTC has the following obligations under the MSHCP and this Agreement:

- A. Adopt and maintain ordinances or resolutions as necessary to implement the requirements and to fulfill the purposes of the Permits, the MSHCP and this Agreement, for its Covered Activities. Such requirements include: 1) compliance with the policies for the Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools as set forth in Section 6.1.2 of the MSHCP; 2) compliance with the policies for the Protection of Narrow Endemic Plant Species as set forth in Section 6.1.3 of the MSHCP; 3) conduct surveys as set forth in Section 6.3.2 of the MSHCP; 4) compliance with the Urban/Wildlands Interface Guidelines as set forth in Section 6.1.4 of the MSHCP; and 5) compliance with the Best Management Practices and the siting and design criteria as set forth in Section 7.0 and Appendix C of the MSHCP.
- B. Contribute mitigation in the amount of \$153 million from Measure "A" funds for mitigation of its Covered Activities as described in Section 8.5.1. of the MSHCP. Such contribution shall occur proportionately prior to impacts to Covered Species or their habitats.
- C. Carry out all other applicable requirements of the MSHCP, this Agreement, and the Permits. Notwithstanding the foregoing, nothing within this Agreement shall be construed to require RCTC to provide funding, or any other form of compensation, beyond the requirements of the Permits, this Agreement and the MSHCP, consistent with the terms and conditions of the MSHCP.

13.8 Caltrans Obligations. Caltrans has the following obligations under the MSHCP and this Agreement:

AGRICULTURE COMPLIANCE PROCESS

Graphic summary of process described for agriculture compliance in the MSHCP and 2004 Settlement Agreement between RCA, County of Riverside, select Cities, and the Riverside County Farm Bureau. Please consult the source documents.



¹=2004 Settlement Agreement section 2.

²=2004 Settlement Agreement sections F.

³=2004 Settlement Agreement section G.

⁴=2004 Settlement Agreement exhibit A section F.

⁵=10,000-acre cap on Take Authorization of new Ag within Criteria Areas (MSHCP Section 6.2F, 6.2G; Implementation Agreement sections 11.3.6, 11.3.7); secondary ag uses on parcels of 5 ac. or less on single-family home lots will not count towards cap.

⁶=must be include in the Agricultural Database.

SETTLEMENT AGREEMENT

This Settlement Agreement ("Agreement") is entered into between the County of Riverside ("County"), the Western Riverside County Regional Conservation Authority ("RCA"), the City of Perris, City of Murrieta, City of San Jacinto, City of Hemet, City of Temecula, City of Beaumont ("Cities") and the Riverside County Farm Bureau ("Farm Bureau"). The parties to this Agreement are sometimes referred to herein individually as "Party" and collectively as the "Parties."

RECITALS

A. On June 17, 2003, the County approved the Western Riverside County Multiple Species Habitat Conservation Plan ("MSHCP") and its associated Implementing Agreement, and certified the final MSHCP Environmental Impact Report/Environmental Impact Statement ("EIR/EIS"). All capitalized terms not otherwise defined herein shall have the meaning given such terms in the MSHCP.

B. On July 22, 2003, the County approved Ordinance No. 810.2 establishing the MSHCP Mitigation Fee.

C. The Cities have approved the MSHCP, Implementing Agreement and MSHCP Mitigation Fee and made responsible agency findings for the EIR/EIS.

D. The Farm Bureau is a nonprofit mutual benefit corporation whose purpose is to work toward the solution of the problems of the farm, farm home, and rural community, such as perceived adverse impacts to existing and future Agricultural Operations that may result from implementation of the MSHCP as it is currently worded. The Farm Bureau represents, protects and advances the social, economic, and educational interests of farmers within the County and State of California.

E. On July 17, 2003, Farm Bureau, along with Pacific Clay Products, Inc., Castle & Cooke Lake Elsinore Outlet Centers, Inc., Castle & Cooke Corona, Inc., Gateway Business Park, LLC, Murdock Alberhill Ranch Limited Partnership, and the Property Owners Association of Riverside County filed suit against the County and its Board of Supervisors in Riverside County Superior Court ("Court"), Case No. 396565 ("Action").

F. Implementation of the MSHCP by the County and Cities will avoid and/or mitigate the adverse environmental impacts to Covered Species under the MSHCP that could result from land use activities within their respective jurisdictions, including current and future Agricultural Operations, to comply with the National Environmental Policy Act ("NEPA"), California Environmental Quality Act, ("CEQA") and the federal and California Endangered Species Acts by conserving and managing land for Covered Species and habitat protection purposes. The MSHCP provides take authorization by the Service and DFG for current and future Agricultural Operations throughout the County and Cities pursuant to Section 10(a)(1)(B) of the federal Endangered Species Act (16 U.S.C. § 1531 *et seq.*), and Natural Community Conservation Planning Act (Cal. Fish and Game Code Section 2800, *et seq.*) and environmental impact mitigation for biological impacts to Covered Species under CEQA (Cal. Public Resources

Code section 21000, et seq.) and NEPA (42 U.S.C.A. section 4321, et seq.) without the need to comply with MSHCP survey, mitigation, adjacency requirements, Criteria, HANS process, and MSHCP Mitigation Fee, except that Expansion of Existing Agricultural Operations must comply with such MSHCP requirements in order to obtain take authorization and impact mitigation under the MSHCP unless the Expansion of Existing Agricultural Operations requiring a discretionary permit is a.) less than 50% of 1.) the existing developed building square footage or 2.) the area subject to existing permitted uses on the entire landholding (plus the area subject to uses similar to the proposed use if a discretionary permit was not previously required for the proposed use), or b.) less than two acres in size. Notwithstanding the foregoing, these exemptions do not apply to discretionary permits for projects on land that is not then included in the Agricultural Database and is being newly converted to Agricultural Operations. Expansion of Existing Agricultural Operations that do not qualify for these exemptions are defined as "Commercial Uses on Agricultural Properties."

The MSHCP provides take authorization under certain terms and conditions, as clarified by this Agreement, for Commercial Uses on Agricultural Properties.

G. As currently worded, the Farm Bureau believes the MSHCP may be misinterpreted as requiring current and all future Agricultural Operations to comply with MSHCP survey, mitigation, adjacency requirements, Criteria, HANS process, and MSHCP Mitigation Fee, as a condition of receiving take authorization for Covered Species under the MSHCP. One purpose of this Agreement is to clarify: that the MSHCP provides take authorization and environmental impact mitigation for biological impacts to Covered Species under CEQA and NEPA for all current and future Agricultural Operations without the need to comply with MSHCP survey, mitigation, adjacency requirements, Criteria, HANS process, and MSHCP Mitigation Fee, except, for Commercial Uses on Agricultural Properties; and the terms under which the MSHCP provides take authorization and environmental impact mitigation for Covered Species under the MSHCP for Commercial Uses on Agricultural Properties. The provisions contained within this Agreement are non-substantive corrections and clarifications of the EIR/EIS, MSHCP, Implementing Agreement, and MSHCP Mitigation Fee Ordinance. Moreover, the RCA shall ensure that participating cities apply the MSHCP and the Implementing Agreement as clarified by this Agreement.

H. The County and Farm Bureau will enter into a stipulated judgment on terms consistent with the provisions of this Agreement in order to resolve a portion of the Action.

NOW THEREFORE, in consideration of the mutual covenants, agreements, representations, and warranties contained in this Agreement, and other good and valuable consideration the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

1. Clarifications/City Approval. The County, RCA, and the Cities agree to clarify through this Agreement the provisions of the MSHCP, Implementing Agreement, and MSHCP Mitigation Fee Ordinance raised by the Farm Bureau as set forth in this Agreement and Exhibit A. The County, RCA and the Cities shall implement the MSHCP and the Implementation Agreement consistent with the MSHCP as clarified by this Agreement. The County and Farm

Bureau shall use their best efforts to obtain the approval of this Agreement by the Cities within ninety days of execution by the County and Farm Bureau.

2. MSHCP Compliance and Consistency. In implementing the MSHCP, the County, RCA and the Cities will contribute to the preservation of the economic viability of Agricultural Operations as a means of preserving agricultural resources in Western Riverside County. Accordingly, except for the restricted circumstances of Commercial Uses on Agricultural Properties, Agricultural Operations are exempt from the MSHCP's mitigation requirements including, but not limited to, biological surveys, adjacency requirements, Criteria, Habitat Acquisition and Negotiation process, MSHCP Mitigation Fee, and any other MSHCP regulations which may be adopted by the County, Cities, Service or DFG. All Agricultural Operations are deemed to be consistent with the provisions of the MSHCP, as long as the landowner or agricultural operator complies with the terms of the MSHCP as clarified consistent with this Agreement.

3. Further Cooperation. The Parties agree to promptly execute and deliver any and all additional papers, documents, instruments, and other assurances, and to do any and all acts and things reasonably necessary in connection with the performance of their obligations hereunder and to carry out the intent of the Parties to this Agreement.

4. Authority to Sign. Each Party represents and warrants to each other Party that its signatory to this Agreement has the authority to bind the Party, and this Agreement does bind the Party.

5. Remedies. Any Party may institute legal action to cure, correct or remedy any uncured default, to enforce any covenants or agreements herein, or to obtain any remedies consistent with the purpose of this Agreement. In the case of breach or default by any party, any other party specifically reserves the right to invoke the Court's continuing jurisdiction pursuant to Section 7 below to enforce the terms of the Stipulated Judgment.

6. Attorneys' Fees. In addition to the remedies set forth in Section 5 above, in the event of any such legal action involving or arising out of this Agreement, the prevailing Party shall be entitled to recover from the losing Party, reasonable litigation expenses, attorneys' fees and costs incurred. The Parties shall bear their own costs of litigating the Action and negotiating this Agreement.

7. Settlement/Stipulated Judgment. The County, RCA and the Cities, respectively, have complied with applicable laws, regulations and policies prior to approving this Agreement. Prior to approving this Agreement, the County, Cities and the RCA, respectively, have determined that approval and implementation of this Agreement is exempt from CEQA and directed that, within five business days of their respective approvals of this Agreement, Notices of Exemption be filed and posted pursuant to State CEQA Guidelines section 15062. Within five days of execution of this Agreement by the County, the County and Farm Bureau agree to file a joint stay of proceedings or other equivalent document, to stay the Action. Within five days of the execution of this Agreement by the County and Farm Bureau, the County shall deliver a letter to Jim Bartel, Field Supervisor of the Carlsbad office of the United States Fish and Wildlife Service ("Service") and Ron Rempel, Deputy Director of the California Department of Fish and

Game ("DFG") in substantial conformance with the letter attached as Exhibit B requesting the Service and DFG to issue the permits and biological opinion on the MSHCP as clarified by Exhibit A and Attachment 1 to this Agreement. Within the later of forty five days after the County, RCA, and the Cities execute this Agreement, or forty five days after the Service and DFG provide written confirmation of their issuance of the permits and biological opinion based upon the MSHCP as clarified by Exhibit A and Attachment 1, in substantial conformance with the letter attached as Exhibit "C," neither of which is then the subject of legal challenge, County and Farm Bureau will petition the Court to enter an order in the Action containing the provisions of this Agreement, directing that the order will be included in the judgment entered in the Action, and maintaining continuing jurisdiction to enforce the provisions of this Agreement and the order and judgment thereon. The order and Stipulated Judgment shall be substantially in the form of Exhibit D. The Parties agree that the Court shall reserve and retain full jurisdiction, power, and authority to enable the Court upon noticed motion of either County or Farm Bureau, to make such further orders or directions to enforce, protect, or preserve the rights of the County and Farm Bureau consistent with the terms of this Agreement; to hear any legal challenge to the clarifications as a related case; and to issue such additional orders and/or injunctions to prevent injury to the interests of the County or Farm Bureau that might result from any change in the MSHCP or Implementing Agreement materially different from this Agreement adversely affecting Agricultural Operations within the County. The RCA agrees to be bound by the terms of the Stipulated Judgment. The County and the Farm Bureau agree to be bound by the terms of the Stipulated Judgment and to submit themselves to the continuing jurisdiction of the Court in the Action to specifically enforce the provisions of this Agreement and the order and judgment thereon. The County, RCA and Farm Bureau agree to fully cooperate in defending this Agreement and the order and judgment thereon from any and all legal or administrative actions instituted by any third party challenging the approval or validity of this Agreement or any of its provisions and any action taken or decision made hereunder. Each party retains the right to make all reasonable decisions with respect to its representation in any such legal or administrative proceeding.

8. No Effect on Other Petitioners and Plaintiffs. The Parties acknowledge that this Agreement and the stipulated judgment will not settle the Action with respect to, and will not affect, any of the petitioners and plaintiffs in the Action besides Farm Bureau.

9. Actions in Furtherance of the MSHCP. Providing that all Parties comply with this Agreement, and all Parties, the Service and DFG implement the MSHCP consistent with this Agreement, Farm Bureau agrees not to file any litigation, or sponsor or fund any initiative, preventing or challenging the County, Cities or RCA's approval of the MSHCP, or the Service's and DFG's issuance of the permits or biological opinion on the MSHCP, expected to occur within the next six months. This Section shall not be interpreted to bind any member of Farm Bureau or to prevent Farm Bureau from acting in any manner to support or defend any of its members or to protect Farm Bureau's interests in future proceedings related to the implementation of the MSHCP.

10. Prior Negotiations and Understandings. This Agreement supersedes all prior negotiations and understandings of any kind with respect to the subject matter hereof between the Parties and contains all the terms and provisions of the agreement between the Parties with respect to the subject matter hereof. The Parties acknowledge that there are no oral

understandings, statements or stipulations between any of them bearing upon the effect of this Agreement which have not been incorporated herein. No waiver, modification, amendment, discharge or change in the terms of this Agreement shall be valid unless the same is in writing signed by the Party against which the enforcement of such waiver, modification, amendment, discharge or change is sought.

11. Neutral Interpretation. Each Party and each Party's legal counsel has reviewed this Agreement, and the customary rule of construction to the effect that any ambiguities in this Agreement are to be resolved against the drafting Party shall not be employed in interpreting this Agreement.

12. Severability. The provisions of this Agreement are severable, and if one or more provisions should be determined to be judicially unenforceable, in whole or in part, the remaining provisions thereof shall nevertheless be binding and enforceable and the Parties will negotiate in good faith amendments to replace the unenforceable provisions and restore the original purpose and intent of this Agreement.

13. Recitals and Exhibits. Recitals A through H above and Exhibits A, B, C and D and Attachment 1 hereto are incorporated by reference and deemed to be a part of this Agreement.

14. Effective Date. This Agreement is effective upon its execution by all Parties ("Effective Date").

IN WITNESS WHEREOF, the Parties have executed this Settlement Agreement as of this _____ day of _____, 2004.

COUNTY OF RIVERSIDE
COUNTY BOARD OF SUPERVISORS

By: _____

Chair

Riverside County Board of Supervisors

Date: _____

5-11-04

GARY ORSO, COUNTY ASSESSOR

By: _____

Gary Orso, County Assessor

Date: _____

5-12-04

ATTEST:

Clerk of the Board

By: _____

Deputy

RIVERSIDE COUNTY FARM BUREAU

By: Cindy G. Domenigoni,
President

Date: 4-27-04

CITY OF PERRIS

By: _____

Date: _____

ATTEST:

City Clerk

By: _____

CITY OF HEMET

By: _____

Date: _____

ATTEST:

City Clerk

By: _____

WESTERN RIVERSIDE COUNTY
REGIONAL CONSERVATION
AUTHORITY

By: _____

Date: _____

CITY OF MURRIETA

By: _____

Date: _____

ATTEST:

City Clerk

By: _____

CITY OF TEMECULA

By: _____

Date: _____

ATTEST:

City Clerk

By: _____

CITY OF BEAUMONT

By: _____

Date: _____

ATTEST:

City Clerk

By: _____

APPROVED AS TO FORM:

Special Counsel to County of Riverside

CITY OF SAN JACINTO

By: _____

Date: _____

ATTEST:

City Clerk

By: _____



Michele Staples
Jackson DeMarco & Peckenpaugh
Attorneys for Riverside County
Farm Bureau

EXHIBIT A

CLARIFICATIONS TO MSHCP AND IMPLEMENTING AGREEMENT

The County, RCA, and the Cities agree to the following clarifications to the MSHCP, Implementing Agreement, and MSHCP Fee Ordinances as follows:

A. MSHCP Survey, Mitigation and adjacency requirements, Criteria and HANS process (MSHCP Sections 6.2B, 6.2E, 6.2F; Implementing Agreement Sections 11.3.2, 11.3.5, 11.3.6)

- ◇ The MSHCP survey, mitigation, adjacency requirements, Criteria, HANS process, and MSHCP Mitigation Fee shall apply only to extend Take Coverage those Agricultural Operations consisting of construction of Commercial Uses on Agricultural Properties, defined below.
- ◇ The MSHCP as clarified by this Agreement shall extend Take Coverage and environmental mitigation for impacts to and take of all Covered Species and habitat in connection with all other Agricultural Operations as defined in the MSHCP and Implementing Agreement on existing farms, ranches and dairies, including changes in Agricultural Operations and crop types, whether or not a discretionary permit or City Ministerial Permit is needed, without the need to comply with MSHCP mitigation requirements including, but not limited to, the Joint Project/Acquisition Review Process (as set forth in Section 6.6.2 of the MSHCP), policies for the Protection of Species Associated with Riparian/Rivarine Areas and Vernal Pools (as set forth in Section 6.1.2 of the MSHCP), policies for the Protection of Narrow Endemic Plant Species (as set forth in Section 6.1.3 of the MSHCP), additional Survey Needs and Procedures (as set forth in Section 6.3.2 of the MSHCP); Urban/Wildlands Interface Guidelines (as set forth in Section 6.1.4 of the MSHCP), Best Management Practices and the siting and design criteria (as set forth in Section 7 and Appendix C of the MSHCP), additional vegetation mapping (as set forth in Section 6.3.1 of the MSHCP), or MSHCP Local Development Mitigation Fee (as set forth in Section 8 of the MSHCP and in the MSHCP Fee Ordinance). The definition of Existing Agricultural Operations is clarified such that 1.) the Agricultural Database shall include all current agricultural landholdings that are part of Agricultural Operations, not just the tilled portion of the landholding; and 2.) all current and future actions taken to comply with federal and/or state environmental requirements and laws on Agricultural Operations are included within the definition of Existing Agricultural Operations.
- ◇ The County and the RCA, shall not release identifying information on Agricultural Operations from the Agricultural Database or applications to be included in the Agricultural Database, except as required by law. In order to protect landowner confidentiality, RCA shall, when compiling

reports concerning the MSHCP Agricultural Operations Database, format them alphanumerically. RCA shall protect the privacy of sensitive personal and business information made available for their review by agricultural landowners and operators while providing site-specific information for MSHCP evaluation purposes. Landowner identifying information shall not be submitted for the public record. RCA shall inform employees responsible for handling MSHCP Agricultural Operations Database records in writing of the requirements set forth above. Documents substantiating Agricultural Operations in connection with the Agricultural Operations Database shall be made available for RCA's review, but RCA shall not collect or maintain such documents as part of the RCA's files.

- ◇ The County Agricultural Commissioner will develop an outreach program to explain the provisions and benefits of the Certificate of Inclusion and the Farm Bureau will assist as deemed appropriate in Farm Bureau's sole judgment. As part of such a program, the County Agricultural Commissioner, in coordination with the RCA, shall prepare a pamphlet outlining the MSHCP's provisions regarding Agricultural Operations, including examples of how the abbreviated HANS process set forth in Section E below will be implemented.
- ◇ MSHCP requirements will not be applicable to an Expansion of Existing Agricultural Operations that is a.) less than 50% of: 1.) the existing developed building square footage; or 2.) the area subject to existing permitted uses on the entire landholding (plus the area subject to uses similar to the proposed use if a discretionary permit was not previously required for the proposed use) or b.) less than two acres in size. Notwithstanding the foregoing, these exemptions do not apply to discretionary permits for projects on land that is not then included in the Agricultural Database and is being newly converted to Agricultural Operations. "Commercial Uses on Agricultural Properties" are the Expansion of Existing Agricultural Operations that do not qualify for these exemptions.

B. The MSHCP provides Take Authorization and environmental impact mitigation for biological impacts to Covered Species under CEQA and NEPA for all current and future Agricultural Operations without the need to comply with MSHCP survey, mitigation, adjacency requirements, Criteria, HANS process, and MSHCP Mitigation Fee, except, for Commercial Uses on Agricultural Properties; and the terms under which the MSHCP provides take authorization and environmental impact mitigation for Covered Species under the MSHCP for Commercial Uses on Agricultural Properties. The provisions contained within this Agreement are non-substantive corrections and clarifications of the EIR/EIS, MSHCP, Implementing Agreement, and MSHCP Mitigation Fee Ordinance. Moreover, the RCA shall ensure that the Cities apply the MSHCP and the Implementing Agreement as clarified by this Agreement. Certificate of Inclusion (MSHCP Sections 6.2B, 6.2C, 6.2F; Implementing Agreement Sections 11.3.2, 11.3.3, 11.3.6; Appendix F)

- ◇ The County shall revise the proposed Certificate of Inclusion as depicted in Attachment 1.

C. Conditions for Take Authorization on New Agricultural Lands (MSHCP Section 6.2F; Implementing Agreement Section 11.3.6)

- ◇ The County shall provide for denials of Agricultural Grading/Clearing Exceptions to be communicated in writing to the applicant and an adequate opportunity shall be provided for appeal to a review panel. The County and Farm Bureau will develop a mutually agreeable appeals process for consideration by the Board of Supervisors at a noticed public hearing within ninety (90) days after entry of the stipulated judgment.
- ◇ A Williamson Act Contract or similar restriction on land is not required to obtain Take Authorization for Agricultural Operations as set forth in Section 11.3.4(a)-(e) of the Implementing Agreement; rather the list of information set forth in Section 11.3.4(a)-(e) describes the types of information adequate to establish Existing Agricultural Operations that may be submitted for review by the RCA at the election of the agricultural property owner or operator.
- ◇ The five-year requirement set forth in Section 6.2F of the MSHCP and Section 11.3.6 of the Implementing Agreement shall not be applicable to 1) projects currently within an agricultural zone established by Ordinance No. 348, 2) projects whose building footprint will be wholly within property previously tilled as part of the Existing Agricultural Operations, 3) new agricultural activities including agricultural leases on properties for which a Development project has been approved, or 4) agricultural leases on property that is not identified for conservation in the context of the MSHCP criteria.
- ◇ The definition of New Agricultural Lands is clarified to consist of Agricultural Operations on vacant lands within the Criteria Area that are converted to Agricultural Operations and have not either previously been included in agricultural landholdings or used for Agricultural Operations within the past five years, or included on the Agricultural Operations Database and further that they do not require a discretionary permit or other discretionary authorization.

D. 10,000 Acre Cap on Take Authorization for New Agricultural Lands Within Criteria Area (MSHCP Section 6.2F, 6.2G; Implementing Agreement sections 11.3.6, 11.3.7)

- ◇ Secondary agricultural uses on parcels of 5 acres or less on Single-family home lots will receive Take Authorization pursuant to the permit issued for the residential parcel or development and will not count toward the 10,000 acre New Agricultural Lands Cap (as allowed to increase pursuant to the Amendment Process set forth in MSHCP Section 6.10), and will not

trigger application of the MSHCP mitigation requirements including, not limited to, biological surveys, adjacency requirements, Criteria, HANS process, and MSHCP Mitigation Fee.

- ◇ Permit forms for small Agricultural Operations shall be amended to identify whether the operations are located on a single-family residential lot.
- ◇ When the RCA determines that approximately 50% of the New Agricultural Lands Cap within the Criteria Area has been converted to New Agricultural Lands, it shall seek approval of an amendment from the Wildlife Agencies to increase the New Agricultural Land Cap.

E. HANS Process (MSHCP Section 6.2E, 6.2F; Implementing Agreement Sections 11.3.5, 11.3.6)

- ◇ Except for expansion of Existing Agricultural Operations for construction of Commercial Uses on Agricultural Properties, all other Agricultural Operations are exempt from the HANS Process unless property owner or operator requests HANS review. If there are insufficient funds to acquire the land for the Conservation Area through the HANS Process, then the proposed Agricultural Operations may proceed, with Take Coverage extended to them under the Permits without the application of any of the MSHCP mitigation requirements including, but not limited to, biological surveys, adjacency requirements, Criteria, HANS Process, and MSHCP Mitigation Fee, provided the proposed Agricultural Operations is not a Commercial Use on Agricultural Property.
- ◇ In conjunction with Farm Bureau, the County and Cities, with input from the RCA as appropriate shall identify property that may have the potential for use as tenant farming and dry land farming in the Criteria Area. As requested by a property owner, operator or tenant farmer, the County or Cities shall undertake a limited HANS analysis of property based upon existing information solely to determine if all or a portion of the property could be used for interim farming. The County or Cities as appropriate shall complete such a process within fifteen business days of submission of such a request. The County Planning Director or City Planning Director, respectively, shall be the designated contact for such requests. Upon completion of this process, the County or Cities shall indicate whether the subject property is desirable for conservation pursuant to the MSHCP. The County Planning Director or City Planning Director, respectively shall make this determination. If the property is not desirable for conservation, then the five year period set forth in Section 11.3.6 of the Implementing Agreement and Section 6.2F of the MSHCP shall not be applicable. If the property is desirable for conservation, then the five year period set forth in Section 11.3.6 of the Implementing Agreement and Section 6.2F of the MSHCP will be applicable.

F. MSHCP Fee (County and Cities MSHCP Fee Ordinance; Implementing Resolution)

The County and Cities shall implement or amend applicable County and City Fee Ordinances and Implementing Resolutions as necessary to accomplish the following:

- ◇ Agricultural Operations (including but not limited to grading, clearing and grubbing activities for agricultural crops, ponding areas, berms and other water quality protection structures) are exempt from the application of the MSHCP Mitigation Fee, except for new construction of Commercial Uses on Agricultural Properties.
- ◇ The County will prorate the MSHCP Fee for Commercial Uses on Agricultural Properties based upon the acreage or portion thereof impacted as defined and set forth in the Application submitted by the Property Owner or operator, not necessarily the entire acreage of the Applicant's property unless completely impacted. Residential homes in rural and agricultural zoning classifications will pay applicable residential MSHCP Mitigation Fee.
- ◇ Credit will be provided in the full amount for any fees assessed for new projects on property that has already paid MSHCP Mitigation Fee.

527932.1

SETTLEMENT AGREEMENT

Attachment 1

CERTIFICATE OF INCLUSION

The United States Fish and Wildlife Service and the California Department of Fish and Game have issued Permits pursuant to the federal Endangered Species Act and the California Natural Community Conservation Planning Act (collectively "Permits") authorizing "Take" of certain species in accordance with the terms and conditions of the Permits, the Western Riverside County Multiple Species Habitat Conservation Plan ("MSHCP") and the associated Implementing Agreement. Under the Permits, certain activities by [appropriate part of entity] are authorized to "Take" certain species, provided all applicable terms and conditions of the Permits, the MSHCP and the associated Implementing Agreement are met.

As the owner/operator of the property depicted on Exhibit "1," attached hereto and incorporated herein by this reference, you are entitled to the protection of the Permits ~~for the proposed activities as set forth in Exhibit "2," with respect to any~~ to Take of species as identified in the MSHCP in connection with Agricultural Operations. In the event that the property depicted in Exhibit "1" is used for other purposes without the express consent of the [appropriate Permittee], Take Authorization under the Permits will automatically cease. Such authorization is provided as described in the Permits, the MSHCO and the Implementing Agreement. By signing this Certificate of Inclusion, you signify your election to receive Take Authorization under the Permits in accordance with the terms and conditions thereof. This Certificate of Inclusion does not give state and federal agencies additional regulatory control over the signatory nor require the signatory to provide additional information not called for in the Certificate of Inclusion, but instead ensures compliance with 50 Code of Federal Regulations, section 13.25(d).

Coverage under the Permits will become effective upon receipt of the executed Certificate of Inclusion by the Western Riverside County Regional Conservation Authority (RCA"). In the event that the subject property is sold or leased, the buyer or lessee must be informed of these provisions and execute a new Certificate of Inclusion.



COUNTY OF RIVERSIDE

BOARD OF SUPERVISORS**BOB BUSTER**
955-1010**JOHN F. TAVAGLIONE**
955-1020**JAMES A. VENABLE**
955-1020**ROY WILSON**
955-1040**MARION ASHLEY**
955-1050**EXHIBIT B**

April 19, 2004

VIA U.S. MAIL

Ron Rempel
Deputy Director
Department of Fish and Game
Habitat Conservation Division
1416 Ninth Street, Room 1342B
Sacramento, CA 95814

Jim Bartel
Field Supervisor
United States Fish and Wildlife Service
6010 Hidden Valley Road
Carlsbad, CA 92009

Re: Clarification of Provisions for Agricultural Operations in the Western Riverside County
Multiple Species Habitat Conservation Plan

Gentlemen:

The County of Riverside has been in extensive settlement negotiations with the Riverside County Farm Bureau concerning litigation on the Western Riverside County Multiple Species Habitat Conservation Plan ("MSHCP"). As part of these negotiations, the Farm Bureau has asked the County to clarify various provisions concerning the MSHCP's application to agricultural operations. We request that you review the attached list of these clarifications and revised Certificate of Inclusion (Exhibit "A" and Attachment 1) and determine whether in your opinion they are consistent with the MSHCP. We also request that you consider the MSHCP as clarified by these documents when issuing the applicable permits and Biological Opinion.

Ron Rempel
Jim Bartel
Page 2
April 19, 2004

Please call me should you have any questions.

Sincerely,

Roy Wilson
Chair, Riverside County Board of Supervisors

cc: Riverside County Board of Supervisors
Mr. Richard Lashbrook, Transportation and Land Management Agency
Ms. Cindy Domenigoni, President, Riverside County Farm Bureau
Mr. William Katzenstein, Riverside County Counsel
Ms. Karin Watts Bazan, Riverside County Counsel
Ms. Michelle Ouellette, Best, Best & Krieger LLP

EXHIBIT C

[TO BE PLACED ON JOINT DFG AND SERVICE LETTERHEAD]

XX, 2004

VIA U.S. MAIL

Mr. Roy Wilson
Chair, Riverside County Board of Supervisors
4080 Lemon St., 5th Fl.
Riverside, CA 92502-1646

Re: Clarification of Provisions for Agricultural Operations in the Western
Riverside County Multiple Species Habitat Conservation Plan

Dear Supervisor Wilson:

This letter is in response to your correspondence dated April XX, 2004. As you know, the Wildlife Agencies have issued the appropriate permits and Biological Opinion for the Western Riverside County Multiple Species Habitat Conservation Plan ("MSHCP"). Pursuant to your request, when issuing the permits and Biological Opinion, the Wildlife Agencies considered the MSHCP as clarified by Exhibit "A" and Attachment 1 to your April XX, 2004 letter.

If you have any further comments or questions, please do not hesitate to call us.

Sincerely,

Jim Bartel, United States Fish and
Wildlife Service

Ron Rempel, California Department
of Fish and Game

cc: Riverside County Board of Supervisors
Mr. Richard Lashbrook, Transportation and Land Management Agency
Ms. Cindy Domenigoni, President, Riverside County Farm Bureau
Ms. Michelle Ouellette, Best, Best & Krieger LLP

EXHIBIT "D"

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF RIVERSIDE

RIVERSIDE COUNTY FARM BUREAU,
a nonprofit mutual benefit corporation,
CASTLE & COOKE LAKE ELSINORE
OUTLET CENTERS, INC., a California
corporation, PACIFIC CLAY
PRODUCTS, INCL., a Delaware
corporation, CASTLE & COOKE
CORONA, INC., a California corporation,
GATEWAY BUSINESS PARK, LLC, a
California limited liability company,
MURDOCK ALBERHILL RANCH
LIMITED PARTNERSHIP, a California
limited partnership, and PROPERTY
OWNERS ASSOCIATION OF
RIVERSIDE COUNTY, a nonprofit
mutual benefit association,

Petitioners and Plaintiffs,

vs.

COUNTY OF RIVERSIDE, a political
subdivision of the State of California;
RIVERSIDE COUNTY BOARD OF
SUPERVISORS, locally elected officials,
and DOES 1 through 100, inclusive,

Respondents and Defendants.

Case No. INCR 396565

[Assigned for all purposes to the
Hon. Lawrence W. Fry]

[PROPOSED] JUDGMENT PURSUANT TO
SETTLEMENT AGREEMENT

Complaint Filed: July 17, 2003

1 This Court having reviewed the Stipulation for Entry of Judgment executed and filed herein by
2 petitioners and plaintiffs Riverside County Farm Bureau ("Farm Bureau"), on the one hand, and
3 respondents and defendants County of Riverside and Riverside County Board of Supervisors
4 (collectively, "County"), on the other hand, and the Court further having reviewed the file in this
5 matter and GOOD CAUSE APPEARING,

6 IT IS HEREBY ORDERED, ADJUDGED AND DECREED AS FOLLOWS:

7 The Court hereby finds and determines that:

8 1. Background.

9 In April, 2004, Farm Bureau, County, the Western Riverside County Regional
10 Conservation Authority ("RCA") and the cities of Perris, Murrieta, San Jacinto, Hemet, Temecula
11 and Beaumont ("Cities") entered into a Settlement Agreement to resolve that portion of the
12 Action concerning Farm Bureau. The RCA and the Cities were not parties to the Action.
13 Nevertheless, the RCA agreed to be bound by the terms of this Stipulated Judgment.

14 2. Terms of the Judgment.

15 The terms of the Settlement Agreement attached hereto as Exhibit "A" are incorporated
16 into this Stipulated Judgment.

17 3. Past Attorneys' Fees, Costs and Litigation Expenses.

18 Each party shall bear all its own costs, attorneys' fees, and related expenses associated
19 with litigating the Action through the date of entry of this Stipulated Judgment.

20 ///

21 ///

1 4. Exercise of Police Power.

2 To the extent applicable in this Judgment, the parties acknowledge and agree that the
3 County is exercising its present police power in entering into this Judgment and in fulfilling its
4 obligations thereto. In addition, this Judgment and the provisions hereof are in the interests of the
5 parties in this action, the citizens of the County and Cities and the general public.

6
7 APPROVED AS TO FORM ONLY.

8
9 Dated: _____, 2004

JACKSON, DeMARCO & PECKENPAUGH

10
11 By: _____
12 Michele A. Staples, Esq.
13 Gregory P. Regier, Esq.
14 Attorneys for Petitioners and Plaintiffs
15 RIVERSIDE COUNTY FARM BUREAU,
16 et al.

17
18 Dated: _____, 2004

BEST BEST & KRIEGER, LLP

19 By: _____
20 Michelle Ouellette, Esq.
21 Attorneys for Respondents and Defendants
22 COUNTY OF RIVERSIDE;
23 COUNTY BOARD OF SUPERVISORS

24
25 THE CLERK IS ORDERED TO ENTER THE FOREGOING JUDGMENT

26 Dated: _____

27 _____
28 Lawrence W. Fry
 JUDGE, RIVERSIDE COUNTY
 SUPERIOR COURT

RESOLUTION NO. 2021-007

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE
WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY
ADOPTING AN RCA LEGACY HOME REBATE PILOT PROGRAM**

WHEREAS, the Western Riverside County Regional Conservation Authority (“RCA”) is a public agency of the State of California formed by a Joint Exercise of Powers Agreement (“JPA”); and

WHEREAS, pursuant to Section 17 of the JPA, the RCA has the power to adopt such rules and regulations as the Board may deem necessary for the conduct of the RCA and its members; and

WHEREAS, the Board adopted a Nexus Fee Study Update (2020 Nexus Study) on December 7, 2020 which increased the Local Development Mitigation Fee (LDMF) required by the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP); and

WHEREAS, the MSHCP acknowledges certain development projects and circumstances that predate the implementation of the MSHCP out of a principle of fairness; and

WHEREAS, some western Riverside County landowners have owned parcels since before the implementation of the MSHCP and have intended to eventually build their primary residence on such property; and

WHEREAS, the Board desires to mitigate fee increases upon landowners who have held a property for their future primary residence since prior to the implementation of the MSHCP; and


WHEREAS, a rebate pilot program provides an opportunity to provide such a targeted benefit with limited administrative burden and financial risk to the RCA and implementation of the MSHCP; and

WHEREAS, the Board intends for this pilot program to expire after June 30, 2025; and

WHEREAS, the RCA Legacy Home Rebate Pilot Program policy document attached to this Resolution in Exhibit “A” outlines the parameters of the pilot program.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED by the Western Riverside County Regional Conservation Authority Board of Directors to adopt the RCA Legacy Home Rebate Pilot Program as described in Exhibit “A” to this Resolution.

PASSED, APPROVED, AND ADOPTED by the Board of Directors of the Western Riverside County Regional Conservation Authority this 1st day of March 2021.

By: 
Natasha Johnson, Chair
Western Riverside County
Regional Conservation Authority

ATTEST:

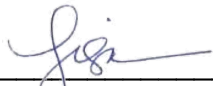
By: 
Lisa Mobley, Clerk
Western Riverside County
Regional Conservation Authority

EXHIBIT “A” TO RESOLUTION 2021-007

WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY

RCA LEGACY HOME REBATE PILOT PROGRAM

1. Purpose. The purpose of this Policy is to establish a partial fee rebate pilot program for specified landowners in western Riverside County who owned land prior to the implementation of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) and who build their primary residence upon such land after the increased Local Development Mitigation Fee (LDMF) goes into effect on July 1, 2021 pursuant to the 2020 Nexus Study.
2. Responsibilities.
 - 2.1. The Western Riverside County Regional Conservation Authority (RCA) is responsible for administration of the LDMF, specifically for receiving LDMF revenues from the cities and the County of Riverside (RCA Member Agencies) to invest, account for, and expend the LDMF in accordance with the MSHCP Implementing Agreement.
 - 2.2. RCA Member Agencies are land use authorities that are signatories to the MSHCP and are responsible for collecting the LDMF and remitting LDMF revenues to RCA.
3. Rebate. The rebate shall be the difference between the amount of the LDMF previously paid by the applicant to an RCA Member Agency (a city or the County of Riverside) and the applicable LDMF amount in effect as of June 30, 2021, adjusted for the percentage change in the Consumer Price Index for the Riverside-San Bernardino-Ontario metropolitan area. The RCA has sole discretion to determine the rebate amount.
4. Eligibility. Applicants eligible to receive a rebate shall demonstrate to the satisfaction of the RCA that they meet the following requirements:
 - 4.1. Ownership of land
 - 4.1.1. The residence is on a parcel of land within the boundaries of the MSHCP.

- 4.1.2. The applicant has continuously owned the parcel starting prior to June 30, 2004.
 - 4.1.2.1. If the parcel is owned by a Trust, the applicant must be an original Trustee.
 - 4.1.3. The parcel was legally created and recorded prior to June 30, 2004.
- 4.2. Construction of primary residence
 - 4.2.1. Received a building permit from an RCA Member Agency after June 30, 2021 for construction of a single family dwelling unit that is the applicant's primary residence.
 - 4.2.2. The residence may be a mobile home or any dwelling eligible for the expedited review process established within the MSHCP.
- 4.3. Fee payment in full
 - 4.3.1. The applicant paid the full LDMF in full to the RCA Member Agency.
- 4.4. Occupancy
 - 4.4.1. The applicant has occupied the dwelling as its primary residence for no less than one year following the issuance of the certificate of occupancy.
- 4.5. One rebate
 - 4.5.1. The applicant has not previously received a rebate through this program.
- 5. Application. The RCA staff shall create a rebate application and post it to the RCA website. The application shall reference this Policy, establish the information and documents necessary for the RCA to determine eligibility, and describe the method by which an application may be submitted. The RCA may amend the application from time to time, as appropriate. A complete application is required for the RCA to begin review and issue a rebate. The RCA shall inform applicants of deficiencies in an application.
 - 5.1. Timeline
 - 5.1.1. The RCA shall issue a determination of eligibility within 30 days of receipt of a complete application.
 - 5.2. Public record

- 5.2.1. Applications and related documents are considered public records and will be disclosed upon request pursuant to the California Public Records Act.
6. Limited Funding. Issuance of a rebate is contingent upon available funding. The RCA intends to budget sufficient funding for 50 rebates in FY 2023 to begin the pilot program. All budgeting decisions are the sole discretion of the RCA Board of Directors.
- 6.1. Queue.
- 6.1.1. In the event of insufficient funding for eligible applicants, a queue shall be established for when additional funding is available. As funding becomes available, applicants in the queue shall receive rebates in order based on the date on which their application was deemed eligible by the RCA. Placement in the queue is not a future guarantee of a rebate.
7. Sunset. This program shall expire after June 30, 2025.
8. Authority of the RCA Board. The RCA Board has the authority in its sole discretion to modify, extend, or terminate this program at any time for any reason.

AGENDA ITEM 8

WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY

DATE:	January 18, 2023
TO:	Executive Committee
FROM:	Tyler Madary, Legislative Affairs Manager
THROUGH:	Anne Mayer, Executive Director
SUBJECT:	State and Federal Legislative Update

STAFF RECOMMENDATION:

This item is for the Committee to recommend the Board of Directors take the following action(s):

- 1) Receive and file an update on state and federal legislative affairs.

BACKGROUND INFORMATION:***State Update***

On December 22, 2022, California Assembly Speaker Anthony Rendon announced committee assignments for the 2023-2024 Regular Session. While the chairships for the Assembly Natural Resources and Assembly Water, Parks, and Wildlife Committees did not change, a new chair was selected for the Assembly Budget Subcommittee No. 3 on Climate Crisis, Resources, Energy, and Transportation. Assemblymember Steve Bennett (Ventura) replaced Assemblymember Richard Bloom (Santa Monica), who was termed out of office.

California Senate President pro Tempore Toni Atkins also announced committee assignments on January 5, 2023. Chairship for the Senate Environmental Quality Committee did not change. However, Senator Dave Min (Irvine) replaced Senator Henry Stern (Los Angeles) as the Chair of the Senate Natural Resources and Water Committee and Senator Josh Becker replaced term-limited Senator Bob Wieckowski (Fremont) as the Chair of the Senate Budget Subcommittee No. 2 on Resources, Environmental Protection and Energy.

Earlier this month, Governor Gavin Newsom released his budget proposal for Fiscal Year 2023-2024. Prior to its release, California was facing a budget deficit of approximately \$25 billion. The Governor's budget proposal will shape legislative discussions and budgetary expectations for the upcoming fiscal year. The Governor will revise his proposal in May 2023 with updated revenue projections. As the budget process unfolds, staff will monitor for funding changes related to habitat conservation and look for opportunities to increase funding that supports RCA's mission. Staff will also work with partners across the state to ensure that budget victories from last year are preserved, including \$36 million to the California Department of Fish and Wildlife

(CDFW) for Habitat Conservation Plans (HCP) and Natural Community Conservation Plans (NCCP) such as the MSHCP to acquire land and \$250 million to the Wildlife Conservation Board (WCB) to advance the state's goal to conserve 30 percent of lands and coastal waters by 2030 (30x30).

Staff will engage with the offices of the newest state representatives of western Riverside County, including Assemblymember Eduardo Garcia, Assemblymember Greg Wallis, Assemblymember Corey Jackson, Assemblymember Bill Essayli, and Assemblymember Kate Sanchez.

Federal Update

FY 2023 Appropriations

On December 29, 2022, President Joe Biden signed into law the Fiscal Year 2023 Appropriations bill, which totals nearly \$1.7 trillion in spending. This action funds the federal government through September 2023.

118th Congress

The 118th Congress was sworn into office on January 7, 2023, signaling a shift in power in the House of Representatives. Representative Kevin McCarthy has been elected Speaker of the House and Representative Hakeem Jeffries was elected House Minority Leader. Of note for our region, Representative Pete Aguilar of Redlands, California was elected Democratic Caucus Chair, the third highest ranking position in the minority party.

Staff will monitor the dynamics of the divided Congress for opportunities to present the project delivery streamlining and conservation benefits of HCPs as a policy area of common ground. Staff will also engage the offices of Representative Young Kim and Representative Norma Torres, who now also represent portions of western Riverside County.

Wildlife Refuge Bill

Legislation by Senator Dianne Feinstein and Representative Ken Calvert to establish a wildlife refuge in western Riverside County did not receive approval during the 117th Congressional Session. Staff will continue to engage members of Congress, tribal partners, and relevant stakeholders to explore other opportunities during the 118th Congressional Session.

FISCAL IMPACT:

This is a policy and information item. There is no fiscal impact.

AGENDA ITEM 9

WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY	
DATE:	January 18, 2023
TO:	Executive Committee
FROM:	Lisa Mobley, Administrative Services Director/Clerk of the Board
THROUGH:	Anne Mayer, Executive Director
SUBJECT:	Executive Committee Meeting Options

STAFF RECOMMENDATION:

This item is for the Committee to recommend the Board of Directors take the following action(s):

- 1) Define and streamline the scope of Executive Committee meeting topics, and
- 2) Direct the Executive Committee to meet on Board Meeting days at 11:30 a.m., prior to the monthly Board meeting.

BACKGROUND INFORMATION:

At its December Executive Committee meeting, staff was directed to bring a recommendation back to the Committee that would streamline the Executive Committee process. In an effort to improve efficiency, staff is recommending a more defined scope of topics for the Executive Committee as well as moving the meetings to just prior to the scheduled monthly Board meetings.

Staff recommends the scope of Executive Committee items be limited to budget, agency operations, contracts, MSHCP policy/implementation matters, and anything of significant political import. All routine updates on legislation, receipts, acquisitions, JPRs, consultant performance, the Annual Report, educational updates, and matters that are not of significant political import will go directly to the Board. If there are no substantive items in the newly defined scope of Executive Committee meeting topics, the Executive Committee meeting will be cancelled.

The proposed scope of the Executive Committee meeting is consistent with the RCA bylaws, an excerpt of which is attached as Attachment 1.

FISCAL IMPACT:

This is a policy and information item. There is no fiscal impact.

Attachment: Bylaws Excerpt – Executive Committee

WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY

BYLAWS

ARTICLE IX – STANDING COMMITTEES

3. Executive Committee. The Executive Committee shall be composed of seven (7) members and have at least two (2) and no more than three (3) representatives representing the County. The Board Chair, Vice Chair, and past Chair, if any, of the RCA shall be members of the Committee. Two members of the Executive Committee shall be selected by the Board at its first meeting in December, or as soon thereafter as practical. The remaining members shall be appointed by the Chair and ratified by the Board. The Executive Committee shall oversee RCA administrative functions, and consider such other matters as delegated to it by the Board. In the event of a vacancy in the Committee, the Chair shall appoint a replacement and said appointment shall be ratified by the Board.