HOW TO APPLY FOR USE OF RCA PROPERTY

Frequently Asked Questions (FAQ's)

1. ***RCA and RCTC, how are they related?*** Effective January 1, 2021, RCTC is the managing agency of RCA.

2. ***What type of activities are allowed on RCA properties?*** Activities on RCA properties are limited to species studies, educational surveys, and activities in compliance with the MSHCP. All other activities or uses will be considered on a case-by-case basis. RCA does not allow billboards, solar farms, etc. on RCA property or any other use that will disturb or damage RCA property.

3. ***Does RCA grant easements or permits?*** Neither. RCA grants License Agreements and Rights of Entry only.

4. ***Can we enter the property with verbal approval if the use is very short term?*** No. All entities and individuals entering RCA property MUST have prior written agreement in the form of a Right of Entry or a License Agreement.

5. ***What is a license agreement and a Right of Entry?*** License agreements are required for long-term uses of RCA properties (usually over 12 months). All new licenses shall be prepared by RCA on its standard form of agreement. No revisions or modifications will be permitted unless specifically approved by appropriate personnel and legal counsel. All license agreements with private entities shall provide for payment to RCA of a one-time $6,000 processing fee, a $200 annual administrative fee and an annual fair market rent, unless exempt.

   Right of Entry agreements are required for use of RCA property with a definite term between one day and 12 months and grant use of a temporary nature and are prepared on the standard Right of Entry form of agreement. A one-tine $1,000 processing fee applies, unless exempt.

6. ***How is a public agency defined?*** *Public agencies are those organized under Local, State or Federal law. Public utility companies are not considered to be public agencies.*

7. ***Do I need to apply again if my Right of Entry expires?*** If you require a time extension on your Right of Entry, and if the terms (type of use and area required) are the same, you may request an extension in writing. You must obtain RCA approval in writing prior to proceeding.

8. ***Who can I contact to find out more about obtaining a Right of Entry?*** If you would like more information, please contact Zack West at zwest@rctc.org or email the right of way department at info@wrc-rca.org

9. ***Recreational Opportunities?*** *Please visit* Recreational Opportunities - Regional Conservation Authority (wrc-rca.org).

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Application Process for Use of RCA Property

Applicants requesting permission to enter on RCA property must execute a written agreement prior to commencement of the project or use. RCA grants License Agreements and Rights of Entry (ROE's) only. A License Agreement is required for longer term uses of RCA property (e.g., species and habitat studies, research projects, other approved projects, etc.). A Right of Entry is required for all temporary uses of or temporary access to RCA property (e.g., studies or surveys requiring less than 12 months to complete). A separate request must be submitted for each entry. Before a License Agreement or ROE can be issued, the applicant must submit a complete application for review and approval.

Complete application submissions must include:

- **General Application Form**
- **A complete description of the activities to be performed on RCA property**
- **Contact information**
- **Certificates of Insurance**
- **W9 Forms**
- **Fees (if applicable)**

RCA review and approval of the ROE or License Agreement generally takes up to four weeks from the receipt of the complete application package.

When the application has been approved, a License Agreement or ROE agreement will be drafted by RCA. General Application form for License Agreements and ROE's can be found in the Document and **Forms Section of the RCA Website**. RCA's legal counsel will approve the agreement as to form and a copy will be sent to applicant for signature. Once the signed copy is received, RCA will sign the documents and send the applicant a fully executed agreement.

An annual fee for License Agreements will be determined by RCA based on the type, location and area impacted by the project or use. Member Agencies and Research Institutions may have the fees waived.

After the agreement has been fully executed, applicant will need to provide five days' notice to the RCA Regional Conservation Deputy Director (Tricia Campbell - tcampbell@rctc.org) and to the Riverside County Parks Natural Resource Manager (Jonathan Reinig - jreinig@rctc.org) prior to beginning the approved activities. (Note, if a project has a special circumstance, we will require notice as per the agreement).

Notice of requirement to make available to RCA all Study/Research information, results, and data as part of the issuance of entry onto RCA properties.

Further inquiries may be directed to Reserve staff at (951-787-7141) or at info@wrc-rca.org

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Application Package

The applicant must submit a complete application with the following items to start the review process.

1. General Application Form

The General Application Form requests background and detailed project information. This form is required for all applications.

2. Fees

License Agreements

RCA's Reserve Management and Monitoring Manager shall determine whether license agreements are allowed on lands owned by the RCA. Generally, RCA's costs involved in preparing and implementing a license agreement should be covered. Licensed/Leased facilities will be charged an application, license, and amendment fee determined by the Right of Way Department until a formal policy has been established by RCA's Board of Directors. In addition, an annual administrative base fee of $200 will be charged for each license in addition to the calculated rent. An annual fee for Licenses will be determined by RCA based on the type, location and area impacted by the project or use. (*ROW Manual 8.8.6.00 RCA License/Lease Agreements Policy*)

Member agencies and Research Institutes may be exempt from the application cost and annual license fees. All applications will be reviewed on a case-by-case basis.

FEES:

- Application Fee $6000 – License Agreements
- Annual Administrative base fee $200 – License Agreements
- License fee to be determined by right of way department

Rights of Entry

A non-refundable fee of $1,000 is required to obtain a Right of Entry. Member agencies and Research Institutes may be exempt. This fee covers RCA's staff and legal cost related to processing the application.

3. Certificates of Insurance

Certificates of Insurance must be submitted in order to execute an agreement and enter RCA property. The limits and insurance requirements are detailed in the **Insurance Section** of the agreement.

The complete package should be emailed to: info@wrc-rca.org

Questions may be directed to the Reserve Team (951-787-7141) or emailed to info@wrc-rca.org.

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Insurance

All entities and individuals proposing to enter RCTC/RCA property, shall obtain, and shall require any consultant or contractor working on its behalf, to obtain insurance of the types and amounts described below. Applicant must provide original executed Certificates of Insurance that clearly evidence all insurance required and provide that such insurance shall not be canceled, allowed to expire, or be materially reduced in coverage, except on 30 days' prior written notice to RCTC/RCA. RCTC/RCA shall have the sole discretion to determine whether the certificates and endorsements presented comply with the applicable provisions.

INSURANCE PROVISIONS

A. **Commercial General Liability Insurance**. The GRANTEE shall maintain occurrence version commercial general liability insurance or equivalent form with a combined single limit of not less than two million dollars ($2,000,000) per occurrence. If such insurance contains a general aggregate limit, it shall apply separately to this Right of Entry or be no less than two times the occurrence limit. Such insurance shall:

B. **Workers' Compensation Insurance**. The GRANTEE shall maintain workers' compensation insurance with statutory limits and employers' liability insurance with limits of not less than $1,000,000 each accident.

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Forms

Check the Western Riverside County Regional Conservation Authority website for the following form:

General Application Form Right of Entry, License Agreement (PDF)

For uses other than those described above, please contact the Reserve Team at info@wrc-rca.org