

**SUBMITTAL TO THE BOARD OF DIRECTORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

212



FROM: Waste Resources Management District

SUBMITTAL DATE:
September 20, 2004

SUBJECT: U.S. Fish and Wildlife Service License/Permit Application for Coachella Valley Multiple Species Habitat Conservation Plan/Natural Community Conservation Plan

RECOMMENDED MOTIONS: *That the Board of Directors:*

Approve the completed application prepared pursuant to Section 10(a) of the Federal Endangered Species Act; and,

Authorize the General Manager – Chief Engineer, WRMD to execute said application on behalf of the Riverside County Waste Resources Management District.

Departmental Concurrence

BACKGROUND: The Section 10(a) process of the Federal Endangered Species Act (ESA) consists of three phases: 1) the habitat conservation plan development phase; 2) the formal permit processing phase; and 3) the post-issuance phase.

For approximately 10 years, the Coachella Valley Association of Governments (CVAG) has been the lead agency in the development of the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP/NCCP). During the past several years, Waste Management staff has participated in discussions with CVAG concerning Waste Management's potential involvement as a permittee in the CVMSHCP/NCCP. The most recent discussions occurred in September 2003, during which Waste Management requested that certain revisions to the Administrative Draft CVMSHCP/NCCP be incorporated.

(Continued on Page 2)

HANS W. KERNKAMP
General Manager – Chief Engineer, WRMD

FINANCIAL DATA	Current F.Y. Total Cost:	\$ N/A	In Current Year Budget:	N/A
	Current F.Y. Net County Cost:	\$ N/A	Budget Adjustment:	N/A
	Annual Net County Cost:	\$ N/A	For Fiscal Year:	N/A

SOURCE OF FUNDS:	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION: **APPROVE**

County Executive Office Signature

Policy
 Policy
 Consent
 Consent
 Dep't Recomm.:
 Per Exec. Ofc.:

Prev. Agn. Ref.: | **District:** 4 & 5 | **Agenda Number:**

**WASTE RESOURCES MANAGEMENT DISTRICT BOARD SUBMITTAL
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

SUBJECT: U.S. Fish and Wildlife Service License/Permit Application for Coachella Valley Multiple Species Habitat Conservation Plan/Natural Community Conservation Plan

SUBMITTAL DATE: September 20, 2004

BACKGROUND (Continued):

Waste Management staff understands that the Draft CVMSHCP/NCCP is intended to be released for public review in October 2004 and looks forward to reviewing the current version of this document. If further input is required, it will be provided at that time. The release of the Draft CVMSHCP/NCCP represents the culmination of the first phase of the Section 10(a) process described above.

In order to initiate the second phase (the formal Section 10(a) permit processing phase), Waste Management, in addition to other anticipated signatories to the Final CVMSHCP/NCCP Implementation Agreement (IA), must individually submit a permit application (see attachment) to the U.S. Fish and Wildlife Service (USFWS). CVAG, through correspondence dated September 8, 2004 (attached), has formally requested that Waste Management execute the permit application form. As noted in their letter, the execution of this application will not obligate Waste Management to participate in the final CVMSHCP/NCCP. It allows Waste Management to continue to participate as a potential permittee in this process and moves the planning process forward by signaling a collective intent to prepare and circulate a MSHCP for consideration by the USFWS, pursuant to Section 10(a) of the Federal ESA.