



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

817



FROM: Regional Park & Open-Space District

SUBMITTAL DATE:

6/12/08

SUBJECT: AMENDED MEMORANDUM OF AGREEMENT REGARDING ESTABLISHMENT,
OPERATION, AND USE OF THE SANTA ANA RIVER MITIGATION BANK

RECOMMENDED MOTION: That the Board:

1. Approves the Amended Memorandum of Agreement Regarding the Establishment, Operation, and Use of the Santa Ana River Mitigation Bank;
2. Authorizes the Chair of the Board to execute the Amended Memorandum of Agreement; and
3. Directs the Clerk of the Board to return four (4) executed original amendments to the Park District for further transmittal to affected parties.

BACKGROUND: On February 11, 1997, by Minute Order 3.11 and 8.1(companions), your honorable Board approved subject mitigation agreement that created a mechanism for restoration and enhancement of riparian habitat consisting of approximately 174 acres of non-native vegetation infested riparian habitat along the Santa Ana River in Riverside County, California.

651/Amended MOU Santa Ana River Mitigation Bank
mq

Paul Frandsen

Paul Frandsen, General Manager

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

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

BY: *Alex Gann*

County Executive Office Signature

Alex Gann

Dep't Recomm.: Consent Policy

Per Exec. Ofc.: Consent Policy

FORM APPROVED COUNTY COUNSEL

BY: *JOE S. RANK* 6/16/08 DATE

Departmental Concurrence

Prev. Agn. Ref.: 3.11 & 8.1 2/11/97; 3.25 & 8.1 3/9/99 District: All Agenda Number:

ATTACHMENTS FILED WITH THE CLERK OF THE BOARD

13.2

**SUBJECT: AMENDED MEMORANDUM OF AGREEMENT REGARDING
ESTABLISHMENT, OPERATON, AND USE OF THE SANTA ANA
RIVER MITIGATION BANK**

On March 9, 1999, by M.O. 3.25 and 8.1 (companions), your honorable Board approved the Amendment of the Santa Ana River Mitigation Bank Agreement. This allowed the U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service, signatories to the original agreement, to expand the geographic service area of the mitigation bank from its current extent (Riverside County portion of the Santa Ana River Watershed) to include the entire watershed (the portions in San Bernardino, Riverside and Orange counties). This expansion also allowed the mitigation bank to sell mitigation credits as compensation for Corps' authorized unavoidable impacts to waters of the United States through the Santa Ana River Watershed.

Now your honorable Board is being asked to approve the attached Amended Memorandum of Agreement Regarding Establishment, Operations, and Use of the Santa Ana River Mitigation Bank among the Corps, U.S. Fish and Wildlife Service, Riverside County Regional Park & Open-Space District, and Riverside County. It amends the Original Agreement and First Amendment by replacing them in their entirety. The Amendment allows for the expansion of the original 174 acre mitigation bank by 49 acres and clarifies how credits are calculated for the expanded bank.

The office of County Counsel has reviewed and approved this Amended Memorandum of Agreement Regarding Establishment, Operations, and Use of the Santa Ana River Mitigation Bank as to legal form.

Please note that this is a companion to the morning Board Agenda for the Parks Department, same subject.