



# Riverside County Habitat Conservation Agency *A Joint Powers Authority*

*City of Corona ◇ City of Hemet ◇ City of Lake Elsinore ◇ City of Menifee ◇ City of Moreno Valley  
City of Murrieta ◇ City of Perris ◇ City of Riverside ◇ City of Temecula ◇ City of Wildomar ◇  
County of Riverside*

## **Special Meeting**

### **AGENDA**

**Monday, August 9, 2010**

**10:00 a.m.**

**Riverside County Administrative Center**

**Annex – Board Chambers**

**4080 Lemon Street**

**Riverside, CA 92501**

*In compliance with the Americans with Disabilities Act and Government Code Section 54954.2, if special assistance is needed to participate in a RCHCA meeting, please contact the Clerk of the Board at (951) 955-6097. Notification of at least 48 hours prior to meeting time will assist staff in assuring that reasonable arrangements can be made to provide accessibility at the meeting.*

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PUBLIC COMMENT**

*At this time members of the public can address the RCHCA Board of Directors regarding any items within the subject matter jurisdiction of the Board that are not separately listed on this agenda. Members of the public will have an opportunity to speak on agenda items at the time the item is called for discussion. No action may be taken on items not listed on the agenda unless authorized by law. Any person wishing to address the Board on any matter, whether or not it appears on this agenda, is requested to complete a Request to Speak form available at the door. The completed form is to be submitted to the Clerk of the Board prior to an individual being heard. Whenever possible, lengthy testimony should be presented to the Board in writing and only pertinent points presented orally.*

#### **4. POLICY CALENDAR**

- 4.1 Consideration of Letter in Support of March JPA Concerning SKR Management Area Exchange
- 4.2 Consideration of Recommendation by Staff for Initiation of Lease of Reserve Land to the County of Riverside for the Establishment of a Public Safety Enterprise Communication Tower

**5. CLOSED SESSION**

Closed Session Pursuant to Government Code Section 54956.8  
Conference with Real Property Negotiator  
Property: APN 391-290-014  
Negotiating Party: County of Riverside  
Under Negotiation: Terms/Conditions

**6. ADJOURNMENT**

**Agenda Item No. 4.1**

**Consideration of Letter in Support of March JPA Concerning SKR  
Management Area Exchange**

**Background:**

**Subject:** *Center for Biological Diversity and San Bernardino Valley Audubon Society vs. Jim Bartel, United States Fish and Wildlife Service and Ken Salazar, U.S. District Court, Southern District of California, Case No. 09-cv-1864-JAH-POR*

In line with Staff's commitment to keep the Board updated concerning the above litigation, attached is a draft letter for your consideration.

The March Joint Powers Authority (JPA) and LNR, the developer for the March Management Area, have both filed motions to intervene as parties in the litigation. The March JPA and LNR have requested that the RCHCA prepare and send the attached letter. Their motions to intervene will be heard by the Court on August 23, 2010.

**Staff Recommendation:**

Staff recommends that the Board:

1. Authorize the RCHCA Executive Director to sign and deliver the attached letter to the United States Fish and Wildlife Service regarding the Long-term Stephens' Kangaroo Rat Habitat Conservation Plan/Settlement Agreement with the Center for Biological Diversity

**Agenda Item No. 4.2**

**Consideration of Recommendation by Staff for Initiation of Lease of Reserve Land to the County of Riverside for the Establishment of a Public Safety Enterprise Communication Tower**

**Background:**

**Subject:** Public Safety Enterprise Communication (PSEC) Project

The PSEC project is a cooperative effort among public agencies to structure an improved radio system for emergency communications that will increase reliability and expand coverage. In order to achieve these goals, the PSEC project requires the installation of additional strategically placed communication towers. PSEC proposes that one of these towers be located on RCHCA owned land in the Estelle Mountain area of Lake Mathews-Estelle Mountain Reserve.

Consistent with the SKR HCP, as a public project, the proposed tower is permitted in a core reserve provided that reserves will be subject to a 1:1 habitat replacement and that such mitigation is approved by the U.S. Fish and Wildlife Service (USFWS) and the California Department of Fish and Game (CDFG).

In order to facilitate the lease for the tower site, staff is requesting that the Board appoint a negotiator to work with RCHCA General Counsel to negotiate the terms of the lease with the County of Riverside. The County of Riverside will be represented by the Economic Development Agency (EDA), more specifically James Force, Supervising Real Property Agent, and other staff as may be required.

**Staff Recommendation:**

Staff recommends that the Board:

1. Appoint Gail Barton, Principal Planner, with the assistance of RCHCA General Counsel, to negotiate the terms of the lease for a PSEC tower site located on RCHCA owned land in the Estelle Mountain area of Lake Mathews Reserve.
2. Authorize the negotiating team to negotiate with EDA, specifically James Force, Supervising Real Property Agent, and others within EDA whose expertise may be required, and to obtain any approvals from USFWS and CDFG as may be necessary.
3. Authorize RCHCA staff to bring the lease to this Board at its next regularly scheduled meeting for consideration of approval, if negotiations have been completed by that date.