



**Board of Directors
November 20, 2019**

SUBJECT:

Approve and Authorize the Murrieta Mitigation Property Conservation Easement with Rivers and Lands Conservancy

BACKGROUND:

During the period of October 2008 to March 2010, the District constructed the Murrieta Area Sewer Improvement Project in which 1.1 miles of 18-inch diameter pipeline was installed. The pipeline was constructed to serve as a relief sewer to augment the collection system capacity and convey wastewater to the Temecula Valley Regional Water Reclamation Facility.

During construction, a change in the pipe installation method resulted in impacts to wildlife habitat that required the District to secure regulatory permits from the California Department of Fish and Wildlife, Army Corps of Engineers, and San Diego Regional Water Quality Control Board. A condition of the permits was the conservation, creation and enhancement of two acres of wetland/riparian habitat within jurisdictional water. Specifically, the District was to protect, in perpetuity, a two-acre mitigation property (APN 948-210-007) on Juniper Street, in the City of Murrieta, by way of a Conservation Easement.

The overall objective of the compensatory mitigation was to mitigate the temporal loss of habitat resources and provide a long-term, self-sustaining native wetland/riparian plant community that would provide valuable habitat and habitat linkage for wildlife populations. In 2015, the District completed a five-year long restoration of the mitigation property. The restoration was conducted by Tom Dodson and Associates and created and established the self-sustaining native wetland/riparian community.

To comply with the perpetuity requirements, the District attempted to gift the property in fee and title to the City of Murrieta as well as several conservation agencies. However, the agencies were either unwilling to accept the property or they requested significant funding to retain the property.

Rivers and Lands Conservancy, formerly Riverside Land Conservancy, is willing to accept the responsibility of the Conservation Easement (Exhibit A) for the Murrieta Mitigation Property for a cost of \$232,609 (Exhibit B). The Conservation Easement establishes a means to ensure the protection of the habitat in perpetuity, where Rivers and Lands Conservancy will manage the mitigation property to fulfill the requirements of the regulatory permits while the District will maintain ownership of the property. Funding for the Conservation Easement was previously appropriated as part of the Murrieta Area Sewer Improvement Project.

FINANCIAL IMPACT:

This agreement will be funded from the Murrieta Area Sewer Improvement Project.

STRATEGIC PLANNING GOAL/OBJECTIVE:

Permitting and Regulatory Compliance: Proactively perform all required permitting and regulatory activities for the safe and effective operation of EMWD's water, wastewater, and recycled water systems.

ENVIRONMENTAL IMPACT:

None

RECOMMENDATION:

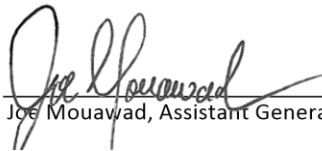
Approve and authorize the General Manager, or his designee, to execute the Murrieta Mitigation Property Conservation Easement with Rivers and Lands Conservancy.

SUBMITTED BY:



Paul D. Jones II, P.E., General Manager

10/4/2019



Joe Mouawad, Assistant General Manager

10/1/2019

Attachment(s):

Exhibit A - Conservation Easement Draft

*Exhibit B - Cost Breakdown
Presentation*

History:

10/30/19 Board Planning Committee RECOMMENDED FOR APPROVAL
11/20/19 Board Meeting

Staff Contact: Al Javier