

**COUNTY OF RIVERSIDE, CALIFORNIA
BOARD OF SUPERVISORS POLICY**

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RIVERSIDE COUNTY ALLOCATION OF TAKE POLICY FOR THE COACHELLA VALLEY MULTIPLE SPECIES HABITAT CONSERVATION PLAN	A-61	1 of 3

BACKGROUND

The County of Riverside approved the Coachella Valley Multiple Species Habitat Conservation Plan (Plan) on October 2, 2007. It is anticipated that the requisite federal and state permits will be issued March 2008. Since the 75 year Plan allows for a limited amount of disturbance (Take) in identified conservation areas, it is important that the county establish principles and policies concerning this critical component of the Plan. To ensure fair, consistent, and effective implementation of the Plan, these principles and policies would apply to both private and public projects. The Board of Supervisors directs the Planning Director to establish procedures and guidelines to implement this policy.

GUIDING PRINCIPLES

1. The Board of Supervisors recognizes that the intent of the Plan is to conserve the majority of the land and habitat within the boundaries of the identified conservation areas. To that extent, the Board of Supervisors encourages future development to occur outside of the conservation areas.
2. In certain circumstances, the Board of Supervisors acknowledges the need for some development of compatible land uses within the conservation areas to serve the need of the existing community. This Take policy is established to give guidance on where and how much development should occur.
3. In order to address the need for public infrastructure within the conservation areas that were not identified as covered activities, the Board of Supervisors will reserve a portion of the county's Take allocation for public projects.
4. The Board of Supervisors first priority is to reserve enough allocation for the building of new single family residences on existing legal privately owned parcels.
5. The county will work closely with, and strongly encourage, the Coachella Valley Conservation Commission (CVCC) to prioritize their acquisition of property where development pressures are occurring.

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6. Because the county's Take allocation is limited, Take allocations will not automatically be granted to cities that annex new lands, but must be evaluated and potentially negotiated with the city.

POLICY

1. It shall be the policy of the county that each existing legal lot shall be allotted ½ acre gross (21,780 square feet) of Take to accommodate one single family residence and all associated disturbances.
2. The maximum amount of Take that shall be permitted in each plan conservation area shall be limited to a maximum of eight percent (8%) of each Plan habitat type within the proposed projects' gross acreage for privately sponsored development proposals, unless otherwise provided for by this policy.
3. Take is permitted for each privately sponsored or county government project only in accordance with the "rough step" provisions of the Plan, on two levels:
 - a) By conservation area, and
 - b) By conservation objective
4. Whenever Take is awarded by the county in conjunction with any development proposal, it shall be awarded only for the period of time for which any associated entitlements or permits are approved, and this shall be reflected in the project's conditions of approval. Any future discretionary action for the project, including extensions of time to use the entitlement or permit, shall be subject to the county's determination of Take available at the time such discretionary action is considered.
5. An unallocated reserve pool of Take that includes a one percent (1%) contingency shall be created to be used at the discretion of the Board of Supervisors as certain circumstances warrant. This Take would potentially be available for both public and private projects. This unallocated reserve pool will be comprised of the Take that has not been reserved by this policy. As the CVCC acquires conservation lands the unallocated reserve pool grows.

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6. To ensure that future Take is available for unanticipated/uncovered county projects, the county will “reserve” one percent (1%) of the total Take within each conservation area by habitat type, to be allocated to such projects. As part of the annual review of the Capital Improvement Program (CIP), county departments should analyze the need for reservation of take for long range projects. Where the need for Take might exceed the “1%” reserve, the Board of Supervisors may set aside additional take from the unallocated reserve pool.

7. Private projects requesting Take in excess of the eight percent (8%) allocation shall submit their request for additional Take prior to applying for their land use entitlement. In considering the merit of granting additional Take allocation, the planning director shall consider the community need for the proposed development, such as the provision of low income housing and/or the creation of job producing projects. The planning procedures and guidelines need to acknowledge that the Board is sensitive to the potential impacts of existing projects that are currently in process. The planning director shall provide a recommendation to the Board of Supervisors for final action. Additional Take allocation will not be granted in excess of that amount currently available in the unallocated reserve pool.

Reference:

Minute Order 3.56 of 02/26/08