



# MOUNTAINS RECREATION & CONSERVATION AUTHORITY

Los Angeles River Center and Gardens  
570 West Avenue 26, Suite 100  
Los Angeles, California 90065  
Phone (323) 221-9944 Fax (323) 221-9933

## MEMORANDUM

TO: The Governing Board

FROM:  Joseph T. Edmiston, FAICP, Hon. ASLA, Executive Officer

DATE: June 2, 2010

SUBJECT: **Agenda Item X: Consideration of resolution amending Resolution No. 04-26 to increase the acceptance limit of mitigation fees for habitat restoration and land acquisition purposes.**

Staff Recommendation: That the Governing Board adopt the attached resolution amending Resolution No. 04-26 to increase the acceptance limit of mitigation fees for habitat restoration and land acquisition purposes to \$2,500,000.

Background: The Santa Monica Mountains Conservancy (Conservancy) and the Mountains Recreation and Conservation Authority (MRCA) participate in "In-Lieu Fee" programs with the California Department of Fish and Game, United States Army Corps of Engineers and Regional Water Quality Control Board, in which mitigation is required from third parties to offset impacts to various habitat types. The MRCA administers many of these mitigation projects. Fees currently range from \$180,000 to \$210,000 per acre, depending on the conditions of the required mitigation. The fees are spent to create, restore, enhance, or acquire habitat areas on Conservancy or MRCA owned or controlled land.

On August 3, 2000, the Governing Board adopted Resolution No. 00-72 which authorized the acceptance of individual In-Lieu Fee restoration project payments of up to \$250,000. On March 3, 2004, the Governing Board adopted Resolution No. 04-26 authorizing acceptance of mitigation fees up to \$1,000,000.

Recently, the MRCA has received inquiries about providing mitigation for single projects that would generate mitigation fees in excess of \$1,000,000. Additional general authority to accept such fees is necessary to maximize the MRCA's ability to take advantage of In-Lieu Fee mitigation opportunities.