

## **SECTION 6.0**

# **MSHCP IMPLEMENTATION STRUCTURE**

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Implementation of the MSHCP will require coordinated actions among the local jurisdictions, the Wildlife Agencies and the private sector. Generally, local jurisdictions will implement the MSHCP through their normal land use, planning and approval process as described in *Section 6.1.1* of this document. Local jurisdictions will also contribute to MSHCP implementation through management of contributed public lands. This section describes the overall implementation policies and structure of the MSHCP including the institutional arrangements among the various parties involved in MSHCP implementation.

### **6.1 LOCAL IMPLEMENTATION MEASURES**

The Permittees have selected a legal mechanism to implement the terms of the MSHCP and the Implementing Agreement. The Permits will not be effective and no Take can occur under the Permits until the Permittees have approved an implementation mechanism substantially in the form addressed below.

#### **A. Cities**

- 1.** The Cities shall adopt an ordinance imposing the development impact fees as analyzed in the Nexus Fee Report. A model ordinance imposing the fees is included as Exhibit "G" to the MSHCP Implementing Agreement (IA). The Cities shall adopt ordinances in substantially the same form or at a minimum containing the same requirements as the model ordinance.
  
- 2.** The Cities shall adopt an ordinance or resolution that adopts the MSHCP and establishes procedures and requirements for the implementation of its terms and conditions. A model ordinance is attached as Exhibit "I" to the MSHCP IA. A model resolution is attached as Exhibit "H" to the MSHCP IA. The Cities shall adopt an ordinance or resolution in substantially the same form or at a minimum containing the same requirements as the model ordinance or resolution. The ordinance or resolution shall contain, at a minimum, the following conditions:
  - a.** Commitment to utilize the Habitat Evaluation and Acquisition Negotiation Strategy (HANS) or appropriate alternative method to ensure compliance with the Criteria.

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- b. Imposition of all other terms of the MSHCP, including but not limited to requirements concerning riparian/riverine areas and vernal pools, Narrow Endemic Plant Species and appropriate surveys as set forth in *Sections 6.1.2, 6.1.3, and 6.3.2*. A complete summary of all MSHCP species survey requirements is provided in *Appendix E* to this document.
- c. Agreement to enforce all other terms and conditions of the MSHCP, this Agreement and the Permits.

### **B. The County**

- 1. The County shall implement the MSHCP through incorporation of the relevant terms and requirements into its General Plan, which is currently being updated. The Open Space Element of the County General Plan will establish general policies for compliance with the MSHCP and the IA. Additionally, each Area Plan in the General Plan affected by the MSHCP will establish specific policies for identified Covered Species and key biological issues for effective conservation within the Criteria Area.
- 2. The County shall amend Riverside County Ordinance No. 810, which establishes a development mitigation fee for the purchase of open space in the unincorporated area of the County, to specifically provide for imposition of a development impact fee for habitat acquisition pursuant to the MSHCP.

### **6.1.1 Property Owner Initiated Habitat Evaluation and Acquisition Negotiation Strategy (HANS)**

#### **A. Introduction**

The HANS Process applies to property which may be needed for inclusion in the MSHCP Conservation Area or subjected to other MSHCP Criteria and shall be implemented by the County and those Cities that have agreed to implement the HANS process.