

DESERT AND MOUNTAIN CONSERVATION AUTHORITY

MEMORANDUM

TO: The Governing Board

FROM: Joseph T. Edmiston, FAICP, Executive Officer

DATE: November 15, 2006

SUBJECT: **Agenda Item IX: Discussion and possible action regarding acceptance of in lieu mitigation fees and implementation of funded projects.**

Staff Recommendation: That the Governing Board adopt the attached resolution authorizing the acceptance of in lieu mitigation fees and implementation of said funded projects.

Background: There are many instances where regulatory agencies, cities and county governments need an appropriate open space agency to accept in lieu mitigation fees to assist in offsetting the adverse effects of development projects. In many cases no such agency is available to accept such funding and implement a project with the money. It is valuable for the DMCA to have a standing resolution that authorizes the acceptance of such funds because opportunities often come with little notice. No available in lieu fee should ever go unaccepted. Staff has extensive experience operating in lieu fee mitigation programs and errs on the side of caution in ensuring that adequate funding is provided for any commitments to acquire or restore property.