

# AGENDA STAFF REPORT

**MEETING NAME:** REGULAR BOARD MEETING  
**MEETING**  
**DATE(S):** July 13 & 17, 2023  
**FROM:** Brian Macy – Assistant General Manager



**FOR:** ACTION  X  DIRECTION      INFORMATION    

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## GRANT OF EASEMENT WITH COACHELLA VALLEY CONSERVATION COMMISSION FOR APN 665-200-013

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### STAFF RECOMMENDATION

Authorize the General Manager to take the necessary actions to accept and file a utility easement from the Coachella Valley Conservation Commission for Assessor's Parcel Number (APN) 665-200-013.

### SUMMARY

The Regional Sewer Conveyance Line Project consists of a 2.0 mile force main along Dillon Road and a 1.3 mile gravity sewer along Little Morongo Road from the existing Dos Palmas Lift Station to the Wright Regional Water Reclamation Facility (RWRF) and will provide the wastewater flows for treatment at the RWRF. While there are existing roadway easements along a majority of Little Morongo Road to accommodate the proposed gravity sewer construction, it will cross a portion of private property identified as APN 665-200-013, at the intersection of Little Morongo Road and 18<sup>th</sup> Avenue. The subject property is owned by the Coachella Valley Conservation Commission (CVCC), and is part of the Willow Hole Conservation area. Since December 2020, MSWD worked with CVCC to obtain the necessary approvals for a 1,200 square foot easement at the northwest corner of APN 665-200-013. On June 8, 2023, the CVCC commission approved the utility easement requested by MSWD.

### ANALYSIS

APN 665-200-013 was acquired by CVCC in 2011. As part of the acquisition, the parcel became part of the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP) and a restrictive covenant was placed over the entire parcel, ensuring the parcel would be held as conservation land in perpetuity. The terms of the restrictive covenant require CVCC to seek Wildlife Agency approval for any alterations to the parcel, including granting of easements. MSWD is a permittee under the CVMSHCP and construction of the RWRF is a covered activity under the CVMSHCP, meaning that its required take (impact) was already accounted for during the development of the Plan. Since the northwest corner of APN 665-200-013 has been disturbed since at least 1996 when the baseline habitat assessments for the CVMSHCP were conducted, the easement's potential impacts to CVMSHCP conservation objectives are considered minor. Given the minimal risk to CVCC conservation objectives, the easement's location on previously disturbed land, and the project's status as a covered activity under the CVMSHCP, CVCC and the Wildlife Agencies granted permission for the easement to MSWD at the June 8, 2023 commission meeting.

### FISCAL IMPACT AND STRATEGIC PLAN IMPLEMENTATION

Accepting the grant of easement with CVCC has no fiscal impact to the District. However, filing the grant of easement with the County of Riverside has nominal fee of \$10.

### ATTACHMENTS

Grant of Easement Deed, including Legal Description and Plat  
Certificate of Acceptance