

Conservation and Mitigation

Who is responsible for the Conservation and Mitigation?

Want to know more about environmental conservation and mitigation banking, please contact the U.S. Department of Fish and Wildlife at (909) 484-0167 or visit www.dfg.ca.gov/regions/6/.



City of Murrieta
Conservation and Mitigation
“Living Close to Nature”



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What is a Conservation or Mitigation Land Bank?

Murrieta is graced with miles of creeks and protected wildlife habitat. In order to protect these endangered resources, land is often protected and donated to a conservancy for ongoing care. Often when an area is developed it is determined to impact such an area and certain "mitigations" must be made. Protecting the area from public access is one way to do this.

"A conservation or mitigation bank is privately or publicly owned land managed for its natural resource values, to offset known impacts to an existing historic or natural resource such as a stream, wetland, endangered species, archeological site, or historic structure. Environmental mitigation is typically part of an environmental crediting system established by governing bodies which involves allocating debits and credits. Debits occur in situations where a natural resource has been destroyed or severely impaired and credits are given in situations where a natural resource has been deemed to be improved or preserved. Therefore, when an entity such as a business, individual, or development has a "debit" they are required to purchase a 'credit'."

Conservation (Endangered Species) Banking

A conservation bank generally protects threatened and endangered species habitat. Credits are established for the specific sensitive species that occur on the site. Conservation banks help to consolidate small, fragmented sensitive species compensation projects into large contiguous preserves which have much higher wildlife habitat values. Other agencies that typically participate in the regulation and approval of conservation banks are the U.S. Fish and Wildlife Service and NOAA National Marine Fisheries Service.



Mitigation (Wetlands) Banking

A mitigation bank protects, restores, creates, and enhances wetland habitats. Credits are established to compensate for unavoidable wetland losses. Use of mitigation bank credits must occur in advance of development, when the compensation cannot be achieved at the development site or would not be as environmentally beneficial. Mitigation banking helps to consolidate small, fragmented wetland mitigation projects into large contiguous preserves which will have much higher wildlife habitat values. Mitigation banks are generally approved by the California Department of Fish and Wildlife, U.S. Fish and Wildlife Service, the U.S. Army Corps of Engineers, and the U.S. Environmental Protection Agency.

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The Benefits of Conservation and Mitigation Banking

For the ecosystem...

- ◆ Protection and restoration of **larger, more functional and longer-lasting** ecological systems
- ◆ **No temporal loss** of ecological function because protection/restoration is completed before the impacts occur
- ◆ Management and ownership by endangered species and wetland **professionals**
- ◆ **"No Net Loss"** in wetland acres at minimum, often with a gain of wetland acres
- ◆ **Permanent protection** in the form of a conservation easement or fee title held by a qualified conservation entity, enforced by a qualified third party

What does this mean to me?

Because the land is officially overseen by a non-city agency, there are federal and state laws that govern when maintenance activities can occur. Often these laws are also presented in permits issued for specific projects. On the federal level, the most common laws that affect maintenance activities are the Migratory Bird Treaty Act and the Endangered Species Act. On the state level, the Fish and Game Code and Endangered Species Act also establish regulations affecting wildlife and native habitats. Public and private projects that impact natural areas are often required to obtain permits from the U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service, California Department of Fish and Wildlife, and the Regional Water Quality Control Board. Those permits may also contain regulations that govern when maintenance of natural areas can occur in order to minimize impacts to wildlife. If the land has been donated to a conservancy, it is illegal for City staff to perform maintenance.

When can maintenance be performed?

If the City owns the property, it still must acquire the necessary permits. The most common restriction on maintenance activities is the nest bird season, which generally occurs from February 1 to September 15; however, birds don't always follow our calendar because weather can greatly influence when birds decide to start nesting. Therefore, as a general rule, maintenance activities need to avoid nesting birds regardless of the date. Maintenance in a drainage area or detention basin to keep the inlet and outlet structures clear of debris should occur before the wet season, which begins on the calendar on October 15, but not always in practice. Permitted and limited brush clearing in these sensitive areas may typically only occur mid-October through mid-March.