



*Established in 2004, the Western Riverside County Regional Conservation Authority is a joint powers authority consisting of sixteen (16) cities and the county. The RCA is charged with administering the 2003 Western Riverside County Multiple Species Habitat Conservation Plan.*

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## **MEETING**

1:00 P.M., Monday, July 19, 2010  
Riverside County Administrative Center  
First Floor, Board Room  
4080 Lemon Street, Riverside, California 92501

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## **BOARD OF DIRECTORS**

### **OFFICERS**

**Gary Thomasian, Chairman**  
*City of Murrieta*

**Marion Ashley, Vice Chairman**  
*County of Riverside, District 5*

**Bob Buster, Past Chairman**  
*County of Riverside, District 1*

### **BOARD MEMBERS**

**John Machisic**  
*City of Banning*

**Kevin Bash**  
*City of Norco*

**Vacant**  
*City of Beaumont*

**Mark Yarbrough**  
*City of Perris*

**Jim Hyatt**  
*City of Calimesa*

**Mike Gardner**  
*City of Riverside*

**Jordan Ehrenkranz**  
*City of Canyon Lake*

**Steve DiMemmo**  
*City of San Jacinto*

**Eugene Montanez**  
*City of Corona*

**Maryann Edwards**  
*City of Temecula*

**Robin Lowe**  
*City of Hemet*

**Bob Cashman**  
*City of Wildomar*

**Melissa Melendez**  
*City of Lake Elsinore*

**John Tavaglione**  
*County of Riverside District 2*

**John Denver**  
*City of Menifee*

**Jeff Stone**  
*County of Riverside District 3*

**Bill Batey**  
*City of Moreno Valley*

**John Benoit**  
*County of Riverside District 4*

**Charles Landry, Executive Director**  
**Honey Bernas, Director of Administrative Services**



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## **MEETING AGENDA**

*\*Actions may be taken on any item listed on the agenda. Non-exempt materials related to an item on this agenda submitted to the RCA Board after distribution of the agenda packet are available for public inspection at the RCA Offices, 3403 Tenth Street, Suite 320, Riverside, California, during normal business hours. Such documents are also available on the Western Riverside County Regional Conservation Authority website at [www.wrc-rca.org](http://www.wrc-rca.org) subject to staff's ability to post the documents before the meeting.*

**Monday, July 19, 2010**

**1:00 p.m.**

**Riverside County Administrative Center  
First Floor Annex – Board Hearing Room  
4080 Lemon Street  
Riverside, CA 92501**

*In compliance with the Americans with Disabilities Act and Government Code Section 54954.2, if special assistance is needed to participate in a Board meeting, please contact the Clerk of the Board at (951) 955-9700. Notification of at least 48 hours prior to meeting time will assist staff in assuring that reasonable arrangements can be made to provide accessibility at the meeting.*

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PUBLIC COMMENTS**

At this time members of the public can address the RCA Board of Directors regarding any items within the subject matter jurisdiction of the Board that are not separately listed on this agenda. Members of the public will have an opportunity to speak on agenda items at the time the item is called for discussion. No action may be taken on items not listed on the agenda unless authorized by law. Each individual speaker is limited to speak three (3) continuous minutes or less. Any person wishing to address the Board on any matter, whether or not it appears on this agenda, is requested to complete a "Request to Speak" form from the Clerk of the Board. The completed form is to be submitted to the Clerk of the Board prior to an individual being heard. Whenever possible, lengthy testimony should be presented to the Board in writing and only pertinent points presented orally. Any written documents to be distributed or presented to the RCA Board of Directors shall be submitted to the Clerk of the Board.

- 4. BOARD MEMBER ANNOUNCEMENTS** *(This item provides the opportunity for the Board Members to report on attended meetings/conferences and any other items related to RCA activities.)*
- 5. ADDITIONS/REVISIONS** *(The Board may add an item to the Agenda after making a finding that there is a need to take immediate action on the item and that the item came to the attention of the Board subsequent to the posting of the agenda. An action adding an item to the agenda requires 2/3 vote of the Board. If there are less than 2/3 of the Board Members present, adding an item requires a unanimous vote. Added items will be placed for discussion at the end of the agenda.)*

## RCA BOARD OF DIRECTORS AGENDA

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### 6. APPROVAL OF MINUTES

7. **CONSENT CALENDAR** *(All matters listed under the Consent Calendar will be approved in a single motion unless a Board Member requests separate action on specific Consent Calendar item. The item will be pulled from the Consent Calendar and placed for discussion.)*

#### 7.1 FISCAL YEAR 2009-10 BUDGET ADJUSTMENTS

##### Overview

This item is for the RCA Board of Directors to:

- 1) Approve the budget adjustments contained in Exhibit A; and
- 2) Authorize the Chairman to direct the Auditor-Controller to make said adjustments.

### 8. WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY MULTIPLE SPECIES HABITAT CONSERVATION PLAN ANNUAL REPORT 2009

##### Overview

This item is for the RCA Board of Directors to receive and file the Western Riverside County Regional Conservation Authority Multiple Species Habitat Conservation Plan Annual Report 2009.

### 9. RESOLUTION NO. 10-007, RESOLUTION OF THE BOARD OF DIRECTORS OF THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY AUTHORIZING THE ACCEPTANCE OF GRANT FUNDS FROM THE WILDLIFE CONSERVATION BOARD AND IN KIND MATCH FROM THE NATURE CONSERVANCY FOR MULTIPLE PROPERTY ACQUISITIONS

##### Overview

This item is for the RCA Board of Directors to approve Resolution No. 10-007 authorizing the acceptance of grant funds from the Wildlife Conservation Board and in kind match from the Nature Conservancy.

### 10. EXECUTIVE DIRECTOR'S REPORT

- 10.1 Loan Program Update
- 10.2 Section 6 Update
- 10.3 RCA Brochure
- 10.4 RCA/CAL FIRE Cooperative Project Update

11. LAND ACQUISITION UPDATE

12. ITEMS FOR NEXT MEETING

13. CLOSED SESSION ITEMS:

13A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION  
Pursuant to Subdivision (a) of Government Code Section 54956.9

- RIC 10004733
- RIC 530137
- RIC 532973

13B. CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Pursuant to Government Code Section 54956.8

Negotiating Parties: RCA – Executive Director or Designee

Under Negotiation: Price/Terms

Item	Assessor Parcel Nos.	Property Owner(s)
1	932-060-023	James Jenkins, Myrna Jenkins
2	932-270-005, 932-270-006, 932-170-019, 932-200-016	Troy Schumacher
3	470-400-014	Keith Sherwin, Christopher Cook, Christopher Grigsby, William Meyer, Jerry Thompson

14. ADJOURNMENT

The next meeting of the Western Riverside County Regional Conservation Authority Board of Directors is scheduled for Monday, September 13, 2010, at 1:00 p.m., at the County of Riverside Administrative Center, Board Room, 4080 Lemon Street, Riverside, California.

# **AGENDA ITEM NO. 6**

## **MINUTES**



## **MEETING MINUTES**

June 7, 2010

### **1. CALL TO ORDER**

The meeting of the Board of Directors of the Western Riverside County Regional Conservation Authority was called to order by Chairman Gary Thomasian at 1:04 p.m. in the Board Room of the County Administrative Center, 4080 Lemon Street, First Floor, Riverside, California, 92501.

### **2. ROLL CALL**

#### **Board Members/Alternates Present**

Marion Ashley  
Bob Buster  
Kevin Bash  
Steve Di Memmo  
Maryann Edwards  
Jordan Ehrenkranz  
Bonnie Flickinger  
Mike Gardner  
Jim Hyatt  
Darci Kuenzi  
Robin Lowe  
John Machisic  
Melissa Melendez  
Eugene Montanez  
Jeff Stone  
John Tavaglione  
Gary Thomasian  
Mark Yarbrough

#### **Board Members Absent**

John Benoit  
Larry Dressel  
Bob Cashman  
Mark Yarbrough

### **3. PUBLIC COMMENTS**

There were no public comments.

### **4. BOARD MEMBER ANNOUNCEMENTS**

There were no Board Member announcements.

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**5. ADDITIONS/REVISIONS**

There were no additions/revisions to the agenda.

**6. APPROVAL OF MINUTES**

*M/S/C (HYATT/LOWE) to approve the minutes of the May 3, 2010 meeting of the RCA Board of Directors.*

**7. CONSENT CALENDAR**

*M/S/C (STONE/MONTANEZ) to approve the following Consent Calendar items:*

**7.1 FISCAL YEAR 2009-10 THIRD QUARTER FINANCIAL REPORT**

Receive and file the Fiscal Year 2009-10 Third Quarter Financial Report.

**7.2 MEMORANDUM OF UNDERSTANDING (MOU) BY AND BETWEEN THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY AND THE RIVERSIDE-CORONA RESOURCE CONSERVATION DISTRICT (RCRCD) COORDINATING HABITAT MANAGEMENT FOR RCRCD LANDS AND POTENTIAL RESTORATION FOR RCA LANDS**

Approve the MOU between the Western Riverside County Regional Conservation Authority and the RCRCD.

**7.3 SECOND SEMI-ANNUAL REPORT OF MSHCP MANAGEMENT ACTIVITIES FOR FISCAL YEAR 2008-09**

Receive and file the second Semi-Annual Report of the MSHCP Management Activities for FY 2008-09.

**7.4 RESOLUTION NO. 10-006, RESOLUTION OF THE BOARD OF DIRECTORS OF THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY AUTHORIZING THE ACCEPTANCE OF GRANT FUNDS FROM THE WILDLIFE CONSERVATION BOARD FOR MULTIPLE PROPERTY ACQUISITIONS**

Adopt Resolution No. 10-006, *Resolution of the Board of Directors of the Western Riverside County Regional Conservation Authority Authorizing the Acceptance of Grant Funds from the Wildlife Conservation Board for Multiple Property Acquisitions.*

## **RCA BOARD OF DIRECTORS MINUTES**

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### **7.5 PROFESSIONAL SERVICES AGREEMENT BETWEEN THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY AND THE SANTA ANA WATERSHED ASSOCIATION**

Approve the Professional Services Agreement between the Western Riverside County Regional Conservation Authority and the Santa Ana Watershed Association.

### **8. RESOLUTION NO. 10-005, *RESOLUTION OF THE BOARD OF DIRECTORS OF THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY ADOPTING AN ECONOMIC STABILIZATION POLICY***

Charlie Landry, Executive Director, said that as directed by the RCA Board, staff developed a policy establishing a minimum cash level to ensure that the RCA is able to continue its operations. The proposed policy establishes \$9 million as the amount necessary to maintain minimum RCA operations for approximately eighteen (18) months. In addition, the proposed policy provides operating guidelines when the cash account falls below the minimum level.

Robin Lowe stated that she was glad that RCA is moving in this direction to make sure that it has sustainable income and funding to maintain the permits. She then asked if voting requirements for the Exceptions is by simple majority or by super majority of the RCA Board.

Charlie Landry said that the purchase and sale agreements that RCA has entered into this year starting in July 2010 will continue to be fulfilled. In addition, any extension of closing dates will comply with the time constraints outlined in Section 6.1.1(B) of the MSHCP for HANS acquisitions.

Steve DeBaun, Legal Counsel, noted that approval requires a simple majority of the RCA Board. Policies requiring super majority vote necessitates an amendment of the joint powers agreement.

Jeff Stone stated that he raised this item a few months ago to staff. The minimum cash level at \$9 million allows the RCA to continue its operations for eighteen months and it looks as though, without a dramatic change in the developmental economy, the threshold will be upon the RCA and it may have to forego land purchases until such time as the economy improves.

Jim Hyatt asked about application of the policy with regards to a willing seller consenting to forego immediate payment. Charlie Landry said that exceptions would include negotiations with a willing seller or a 100% acquisition. However, close of escrow will have to be extended to a future date when RCA can adequately fund the purchase while it preserves the adopted minimum cash balance.

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### ***M/S/C (ASHLEY/HYATT) to adopt Resolution No. 10-005, Resolution of the Board of Directors of the Western Riverside County Regional Conservation Authority Adopting an Economic Stabilization Policy.***

#### **9. RETAINER AGREEMENT BETWEEN THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY AND HOGAN LOVELLS US LLP (DOUG WHEELER)**

Charlie Landry said that the proposed agreement with Doug Wheeler is to retain his services for planning and execution of a loan program development through Congress and the Administration. Doug Wheeler has been providing “pro bono” work to the RCA for the past three years. He iterated the significant importance and benefits of a loan program to the RCA. There is an anticipated increase in workload to process the loan program legislation, including developing language of the legislation that is amenable to legislators, the Administration and conservation organizations, and, therefore, staff is proposing to retain Doug Wheeler continue with the loan program efforts. The proposed agreement is for one year and funds to cover the cost of the agreement are included in RCA’s FY 2010-2011 budget. A written quarterly report on the status of the loan program will be provided by the consultant. The agreement can be terminated at any time with 30 days written notice. He continued and said that while the RCA also has Dave Kennett under contract, he functions as a government relations officer but is not a specialist in environmental regulations law. He monitors legislation(s) and other issues that might affect the RCA. Under the proposed contract, Doug Wheeler will focus his efforts on the loan program legislation.

Melissa Melendez commented that she worked in Washington, D.C., for four years and she is well versed in the fact it is a matter of who you know in order to get things accomplished. However, she is not able to grasp why RCA needs to hire another consultant for work that should be done or able to be done by the other two consultants. It is not that Doug Wheeler is not well worth the money or not very capable of doing the work. She then asked what Doug Wheeler has accomplished in the three years that he was providing “pro bono” work to the RCA.

Charlie Landry responded that Doug Wheeler has been working with staff on the strategy to formulate the loan program, looking at existing programs, the manner in which to set up a program that is passable, and who should be included. He worked with staff on identifying programs that RCA may be able to tap into. Because of his experience and knowledge in the environmental field, he understands the Congress and what will pass for environmental legislation through the different environmental and appropriation committees. He has name recognition with ability for not just opening doors, but also understanding the process.

Melissa Melendez said that with Doug Wheeler providing “pro bono” work over the past three years and now requesting compensation to proceed with the loan program gives the impression that there was discussion that a contract would be entered into in the future.

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Charlie Landry answered that staff did not discuss a future contract with Doug Wheeler while he was assisting RCA “pro bono”. However, when it was found that the level of work and the time and effort required to advance the loan program will have to be increased, Doug Wheeler and his firm indicated that he is not able to provide “pro bono” service with the intensity and increased level of commitment to the effort.

At this time, Robin Lowe provided a history of Riverside’s association with Doug Wheeler starting with him as a speaker at a Riverside County Habitat Conservation Agency (RCHCA) symposium held in Hemet. At that time, he was California’s Secretary of Natural Resources and was very supportive of Riverside County’s effort. Years later, he joined the firm of Hogan & Hartson, considered as one of the top firms in Washington, D.C., and internationally. Chief Justice John Roberts worked for Hogan & Hartson before being sworn in as the Chief Justice on the Supreme Court. RCA Executive Committee had discussed funding availability and options for additional funding for Habitat Conservation Programs (HCPs) and about three years ago, a meeting with Secretary Dirk Kempthorne, U.S. Secretary of Interior, was held and she arranged for Doug Wheeler to join the meeting. It was at that time that Doug Wheeler offered his “pro bono” services to open doors for RCA and across the country with environmental and regulatory agencies. Since this effort is going to enter into federal legislation, RCA now needs to establish a professional relationship. She iterated that she has not been involved with current negotiations with Doug Wheeler.

In response to Darcy Kuenzi’s question on potential returns to RCA and other States’ contribution that would benefit RCA’s effort, Charlie Landry said that potential returns could be substantial funding that could be borrowed to assemble the reserves much quicker. Staff plans to request reimbursement from others who may benefit from RCA’s efforts.

Jim Hyatt, with regards to the possibility of other agencies participating and contributing to the effort, asked who will be monitoring participation and contributions, and whether the RCA will receive a report on this matter.

Charlie Landry said that, at this time, they are trying to develop legislation that will have nationwide support and are in the process of identifying participants. Staff will report to the RCA Board on any funding contributions to the effort once the participants are identified.

Jeff Stone acknowledged that this is an important facet of RCA’s fundraising effort to achieve its goal to meet the reserves acquisition requirements and that Doug Wheeler is most qualified to assist the RCA. However, the contract is very vague and it does not include the minimum hours per month to perform the work, description of the services that they will provide, or any performance standards. He stressed the need for RCA to seek and engage partnerships now rather than when the legislation is passed as those benefitting in this effort will not be susceptible to contribute when it is already in place.

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Charlie Landry noted that this is a pilot program and that Riverside County's HCP is unique in that it was established in conjunction with its infrastructure efforts. It is not determined at this time if there are other HCPs with an infrastructure component and, therefore, there may not be any partners to this effort.

A lengthy discussion among the RCA Board Members followed on: 1) the role of RCA's consultants; 2) the pros and cons to awarding the consultant contract, and Mr. Wheeler's qualifications/experience; 3) provisions to be included in the contract; 4) the need to work with other Riverside County agencies and their lobbyists to advocate RCA's efforts in Washington, D.C.

***M/S (STONE/MELENDEZ) to:***

- 1) Continue the item for 30 days;***
- 2) Staff provide a report on other partners to the loan program effort; and***
- 3) Include specific details on timeline, scope of services, goals and expectations within the twelve months from Hogan & Lovells (Wheeler).***

***The motion failed.***

***M/S/C (TAVAGLIONE/MONTANEZ):***

- 1) To approve a retainer agreement between the Western Riverside County Regional Conservation Authority and Hogan & Lovells US LLP (Wheeler) which includes details on timeline, scope of services, goals and expectations within the twelve months;***
- 2) That the Executive Committee review the agreement;***
- 3) Staff report to the Executive Committee identified HCP partners to the loan program effort;***
- 4) Authorize the Chairman, pursuant to legal counsel review and approval, to execute said agreement, as amended, on behalf of the Authority.***

**10. EXECUTIVE DIRECTOR'S REPORT**

**10.1 Section 6 and Funding Update**

Section 6 is currently on two tracks: 1) Senator Dianne Feinstein's office has placed the Section 6 requirement amendment on to an Appropriations bill; and, 2) Working with the Department of Interior, who has expressed an interest of resolving the matter.

**10.2 RCA/CAL FIRE Cooperative Project Update**

Presentation on the update was rescheduled to the next RCA Board meeting.

**11. LAND ACQUISITION UPDATE**

Ken Graff, Director of Land Acquisition, informed the RCA Board of Directors that the total reserve land stands at 41,932 acres.

At this time, Chairman Thomasian, on behalf of the RCA Board, presented Ken Graff, who will be retiring the end of June, with a plaque in recognition of his years of service as RCA's Director of Land Acquisition

Chairman Thomasian announced that Larry Dressell has stepped down as a member of Beaumont City Council. Beaumont will notify RCA on his replacement to the RCA Board.

**12. ITEMS FOR NEXT MEETING**

Jeff Stone requested that staff provide a flow diagram of RCA's legislative consultants, identifying inter-working relationship with each other, the scope of their services, and expected task and accomplishments. Such report will greatly assist members of the RCA Board.

Due to time constraints, discussion of the closed session item was postponed until the next RCA Board meeting.

**13. CLOSED SESSION ITEM:**

- 13.1 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**  
**Pursuant to Subdivision (a) of Government Code Section 54956.9**
- **RIC 530137**

**RCA BOARD OF DIRECTORS MINUTES**

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**14. ADJOURNMENT**

With no other items before the RCA Board of Directors, Chairman Thomasian adjourned the meeting. The next meeting of the Western Riverside County Regional Conservation Authority Board of Directors is scheduled for Monday, July 19, 2010, at 1:00 p.m., at the County Administrative Center, Board Room, First Floor, 4080 Lemon Street, Riverside, California.

Respectfully submitted,



Honey Bernas  
Clerk of the Board

# **AGENDA ITEM NO. 7.1**

## **FISCAL YEAR 2009-10 BUDGET ADJUSTMENTS**

***Regional Conservation Authority*****FISCAL YEAR 2009-10  
BUDGET ADJUSTMENTS****Staff Contact:****Honey Bernas, Director of  
Administrative Services  
(951) 955-2842****Background:**

Budget adjustments, detailed in Exhibit A attached hereto, are necessary in Departments 935100 (Operations), 935201 (Land Acquisitions), and 935300 (Management and Monitoring).

In Operations, it is necessary to decrease revenue by \$18,566. It is necessary to increase Appropriation 1 by \$7,797 and decrease Appropriation 2 by \$175,000, for a net decrease to appropriations of \$167,203.

In Land Acquisitions, MSHCP fees came in 37% higher than the budget, which along with \$31,758 in miscellaneous revenues, resulted in \$1,917,758 in additional revenue. However, land donation revenue decreased by \$5,055,600, for a net decrease in revenue of \$3,137,842. It is necessary to increase Appropriation 1 by \$1,850, Appropriation 2 by 24,052, and Appropriation 4 by \$66,628 (Land Improvements – Fencing). It is necessary to decrease Appropriation 2 by \$1,385,000 and decrease Appropriation 4 (Land – Donations) by \$5,055,600. The net decrease to appropriations is \$6,348,070.

In Management and Monitoring, the net decrease to revenue is \$26,004. The net decrease to appropriations is \$37,707.

**Staff Recommendations:**

That the RCA Board of Directors:

- 1) Approve the budget adjustments contained in Exhibit A attached hereto; and
- 2) Authorize the Chairman to direct the Auditor-Controller to make the budget adjustments contained in Exhibit A.

**Attachment:**

- 1) Exhibit A – Budget Adjustments



<b>DATE</b>	<b>July 19, 2010</b>
<b>TO</b>	<b>Auditor-Controller</b>
<b>FROM</b>	<b>Honey Bernas, Director of Administrative Services (951) 955-2842</b>
<b>SUBJECT</b>	<b>FISCAL YEAR 2009-10 BUDGET ADJUSTMENTS (FUND 51630)</b>

**Background:**

On July 19, 2010, the RCA Board of Directors approved the budget adjustments contained herein.

**Requested Action:**

That the Auditor-Controller make the following budget adjustments:

**OPERATIONS (935100)**

**Increases to Revenue**

722002	Participating Special Entities	\$	100,962
740040	Interest-Other		1,565
769260	Other Government MSHCP-Civic Projects		88,417
777170	Development Fees-MSHCP		58,000
777600	TUMF-Developer Fees		646
	<b>Total Increases to Revenue</b>	<b>\$</b>	<b>249,590</b>

**Decreases to Revenue**

769240	Other Government MSHCP-Infrastructure	\$	80,930
771410	Flood Control Covered Projects		171,401
777860	Joint Project Review Deposits		15,825
	<b>Total Decreases to Revenue</b>	<b>\$</b>	<b>268,156</b>

**Net Decrease to Revenue** **\$ 18,566**

**Increases to Appropriations**

510200	Payoff/Permanent	\$	7,097
510420	Overtime		700
	<b>Total Increases to Appropriations</b>		<b>\$7,797</b>

**Decreases to Appropriations**

525020	Legal	\$	115,000
527980	Contracts		60,000
	<b>Total Decreases to Appropriations</b>	<b>\$</b>	<b>175,000</b>

**Net Decrease to Appropriations** **\$ 167,203**

**LAND ACQUISITIONS (935201)****Increases to Revenue**

740040	Interest-Other	\$	361
777170	Development Fees-MSHCP		1,886,000
777600	TUMF-Developer Fees		20,895
781360	Other Miscellaneous Revenue		10,502
	<b>Total Increases to Revenue</b>	<b>\$</b>	<b>1,917,758</b>

**Decrease to Revenue**

781220	Donations-Land	\$	5,055,600
	<b>Total Decreases to Revenue</b>	<b>\$</b>	<b>5,055,600</b>

**Net Decrease to Revenue** **\$ 3,137,842**

**Increases to Appropriations**

510420	Overtime	\$	1,850
524560	Auditing and Accounting		24,052
540060	Land Improvements		66,628
	<b>Total Increases to Appropriations</b>		<b>92,530</b>

**Decreases to Appropriations**

525020	Legal Services	\$	600,000
527980	Contracts		785,000
540040	Land		5,055,600
	<b>Total Decreases to Appropriations</b>	<b>\$</b>	<b>6,440,600</b>

**Net Decrease to Appropriations** **\$ 6,348,070**

**MANAGEMENT & MONITORING (935300)**

**Increases to Revenue**

741000	Rents	\$	34,237
781360	Other Miscellaneous Revenue		18,318
	<b>Total Increase to Revenue</b>	<b>\$</b>	<b>52,555</b>

**Decreases to Revenue**

740020	Interest Income	\$	15,342
771410	Flood Control Covered Projects		63,217
	<b>Total Decreases to Revenue</b>	<b>\$</b>	<b>78,559</b>

**Net Decrease to Revenue** **\$ 26,004**

**Increases to Appropriations**

523230	Miscellaneous Expense	\$	1,098
525440	Professional Services		1,325
526910	Field Equipment-Non Fixed Assets		7,000
527780	Special Program Expense		870
	<b>Total Increase to Appropriations</b>	<b>\$</b>	<b>10,293</b>

**Decreases to Appropriations**

525020	Legal		48,000
	<b>Total Decreases to Appropriations</b>	<b>\$</b>	<b>48,000</b>
	<b>Net Decrease to Appropriations</b>	<b>\$</b>	<b>37,707</b>

# **AGENDA ITEM NO. 8**

## **RCA MULTIPLE SPECIES HABITAT CONSERVATION PLAN ANNUAL REPORT**

***Regional Conservation Authority*****WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY  
MULTIPLE SPECIES HABITAT CONSERVATION PLAN  
ANNUAL REPORT 2009****Staff Contact:****Pat Egetter  
Chief of Technical Information  
(951) 955-9700****Background:**

Each year, RCA staff prepares an Annual report for the Regional Conservation Authority and its Permittees to meet the requirements of the MSHCP and Implementing Agreement.

The Multiple Species Habitat Conservation Plan Annual Report 2009 covers the activities of the Regional Conservation Authority including acquisitions and summarizes the development activities of its Permittees for the period of January 1, 2009 through December 31, 2009. This 2009 Annual Report represents the Authority's fifth full year of operation.

In 2009, a total of 1,473 acres were acquired, donated or obtained through the local development process contributing to Additional Reserve Lands. At the end of the year, the total of Additional Reserve Lands (ARL) acquired for conservation consisted of 38,101 acres. This total does not include the Potrero SKR Land consisting of 2,540 acres or acquisitions outside of Criteria Cells (968 acres). Since February 2000, including Potrero and areas outside of the Criteria Area, the RCA has acquired 41,609 acres for Conservation. Also in 2009, the RCA Board of Directors processed amendments to the Joint Powers Agreement, Implementing Agreement and RCA Bylaws to add the Cities of Menifee and Wildomar as Permittees. The RCA completed five (5) new Participating Special Entities (PSE) applications that provided \$3,324,460.00 in revenue for the MSHCP.

The MSHCP Implementing Agreement in section 10.1, states that the Reserve Management Oversight Committee (RMOC) will ensure the preparation and distribution of the Annual Report. The RMOC Committee membership has not yet been redefined; therefore, we are asking that RCA Board of Directors to receive and file the MSHCP Annual Report 2009.

The Annual Report for 2009 was distributed to the RCA Executive Committee at their June 30, 2010 meeting and was sent to the remaining RCA Board of Directors in early July. The Annual Report for 2009 was posted to the RCA Website at the following location:

[http://www.wrc-rca.org/AnnualReport\\_2009/Annual\\_Report\\_2009.html](http://www.wrc-rca.org/AnnualReport_2009/Annual_Report_2009.html)

**Staff Recommendation:**

That the RCA Board of Directors receive and file the Multiple Species Habitat Conservation Plan Annual Report for 2009.

## **AGENDA ITEM NO. 9**

**RESOLUTION NO. 10-007,  
*RESOLUTION AUTHORIZING  
THE ACCEPTANCE OF GRANT  
FUNDS FROM THE WILDLIFE  
CONSERVATION BOARD AND  
IN KIND MATCH FROM THE  
NATURE CONSERVANCY FOR  
MULTIPLE PROPERTY  
ACQUISITIONS***

***Regional Conservation Authority***

**RESOLUTION NO. 10-007,  
RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY  
AUTHORIZING THE ACCEPTANCE OF GRANT FUNDS  
FROM THE WILDLIFE CONSERVATION BOARD AND IN KIND MATCH  
FROM THE NATURE CONSERVANCY FOR MULTIPLE PROPERTY ACQUISITIONS**

**Staff Contact:**

**Brian Beck, Land Acquisition Analyst  
(951) 955-0039**

**Background:**

Staff is working on the acquisition of multiple properties previously authorized for acquisition by the Board of Directors. These properties include the Cachia, Carlsbad and Reynolds properties in the Tenaja, San Jacinto River and Estelle Mountain areas. Staff proposes to use Section 6 funding to acquire these properties and to use prior land donations by The Nature Conservancy as a possible in kind match, as needed. In addition, staff has identified additional properties in the Tenaja area that appear eligible for grant funding and that will likely contribute to the Reserve assembly goals of the MSHCP. The attached RCA Resolution No. 10-007 will rescind and replace RCA Resolution No. 10-006 and authorizes the RCA to accept the grant funding from the Wildlife Conservation Board and the in kind match from the Nature Conservancy. The prior resolution did not make reference to the Nature Conservancy in kind match. All the acquisitions are proposed for Fiscal Year 2010-2011.

**Staff Recommendation:**

That the RCA Board of Directors approve Resolution No. 10-007 authorizing the acceptance of grant funds from the Wildlife Conservation Board and in kind match from the Nature Conservancy.

**Attachment:**

Resolution No. 10-007

# **AGENDA ITEM NO. 9**

## **ATTACHMENT**

**Resolution No. 10-007,  
*Resolution Authorizing the  
Acceptance of Grant Funds  
from the Wildlife Conservation  
Board and in Kind Match from  
the Nature Conservancy for  
Multiple Property Acquisitions***

## **RESOLUTION NO. 10-007**

### **RESOLUTION OF THE BOARD OF DIRECTORS OF THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY AUTHORIZING THE ACCEPTANCE OF GRANT FUNDS FROM THE WILDLIFE CONSERVATION BOARD AND IN KIND MATCH FROM THE NATURE CONSERVANCY FOR MULTIPLE PROPERTY ACQUISITIONS**

**WHEREAS**, the Western Riverside County Regional Conservation Authority believes the acquisition of Assessor Parcel Numbers 932-050-014, 310-250-012, 310-250-015, 390-100-010, 932-060-023, 932-270-005, 932-270-006, 932-170-019, 932-200-016, 932-130-014, 932-200-025, 932-200-026, 932-210-001, 932-260-020, 932-260-026, 932-260-027, 940-260-002, and 940-260-003 will contribute to the reserve assembly goals of the Western Riverside County Multiple Species Habitat Conservation Plan.

**WHEREAS**, the Western Riverside County Regional Conservation Authority approved RCA resolution 10-006 on June 7, 2010, but it did not include reference to certain TNC parcels that may be used as in kind match and it is intended that this resolution rescind and replace that resolution;

**WHEREAS**, the Western Riverside County Regional Conservation Authority is willing to accept grant funds from the Wildlife Conservation Board to help conserve the subject properties and to use as in kind match, as needed;

**WHEREAS**, the acceptance of the grant funds and in kind match will assist the Western Riverside County Regional Conservation Authority in providing open space for preservation of wildlife and plant life;

**NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED** by the Board of Directors of the Western Riverside County Regional Conservation Authority as follows:

1. That the Board of Directors of the Western Riverside County Regional Conservation Authority hereby finds and declares that the above recitals are true and correct.

2. That the Board of Directors of the Western Riverside County Regional Conservation Authority authorizes the acceptance of grant funding from the Wildlife Conservation Board to help conserve multiple properties, Assessor Parcel Numbers 932-050-014, 310-250-012, 310-250-015, 390-100-010, 932-060-023, 932-270-005, 932-270-006, 932-170-019, 932-200-016, 932-130-014, 932-200-025, 932-200-026, 932-210-001, 932-260-020, 932-260-026, 932-260-027, 940-260-002, and 940-260-003 for habitat conservation, either by direct purchase or as in kind match for grants.

3. That the Executive Director of the Western Riverside County Regional Conservation Authority is authorized to execute the documents and agreements

necessary to accept the grant funding from the Wildlife Conservation Board and the in kind match from the Nature Conservancy, as needed.

4. RCA Resolution 10-006 is hereby rescinded and replaced by this resolution.

**PASSED AND ADOPTED** at a regular meeting of the Board of Directors of the Western Riverside County Regional Conservation Authority held the Nineteenth day of July, 2010.

By: \_\_\_\_\_  
Gary Thomasian, Chairman  
Western Riverside County  
Regional Conservation Authority

ATTEST:

By: \_\_\_\_\_  
Honey Bernas, Clerk of the Board