



MEETING MINUTES

1. CALL TO ORDER

The meeting of the Western Riverside County Regional Conservation Authority was called to order by Chairman Marion Ashley at 12:32 p.m. on Monday, January 7, 2013, in the Board Room of the Riverside County Administrative Center, 4080 Lemon Street, Riverside, California, 92501.

2. PLEDGE OF ALLEGIANCE

Chairman Ashley led the RCA Board Members and meeting attendees in a flag salute.

3. ROLL CALL

Board Members Present

Marion Ashley, *Riverside County District 5*
Kevin Bash, *City of Norco*
Ben Benoit, *City of Wildomar*
Roger Berg, *City of Beaumont*
Tim Brown, *City of Canyon Lake*
Tom Fuhrman, *City of Menifee*
Jim Hyatt, *City of Calimesa*
Kevin Jeffries, *Riverside County District 1*
Linda Krupa, *City of Hemet*
Natasha Johnson, *City of Lake Elsinore*
Verne Lauritzen, *City of Jurupa Valley*
Jesse Molina, *City of Moreno Valley*
Eugene Montanez, *City of Corona*
Scott Miller, *City of San Jacinto*
Harry Ramos, *City of Murrieta*
Adam Rush, *City of Eastvale*
Jeff Stone, *Riverside County District 3*
John Tavaglione, *Riverside County District 2**
Mark Yarbrough, *City of Perris**

Board Members Absent

John Benoit, *Riverside County District 4*
Maryann Edwards, *City of Temecula*
Mike Gardner, *City of Riverside*
Vacant, *City of Banning*

4. PUBLIC COMMENTS

There were no public comments.

5. BOARD MEMBER ANNOUNCEMENTS

There were no Board Member announcements.

*Arrived after start of meeting.

RCA BOARD OF DIRECTORS MINUTES

Page 2 of 5

January 7, 2013

6. ADDITIONS/REVISIONS

There were no additions/revisions to the agenda.

7. APPROVAL OF MINUTES

Roger Berg noted corrections to the minutes with regard to his presence at the December 3, 2012 meeting and to reflect approval of the November 5, 2012 meeting, rather than December 3, 2012 meeting.

M/S/C (HYATT/FUHRMAN) to approve the minutes of the December 3, 2012 meeting of the RCA Board of Directors, as corrected.

Abstain: Brown, Jeffries, Johnson

8. CONSENT CALENDAR

M/S/C (HYATT/BBENOIT) to approve the following Consent Calendar item:

8.1 WESTERN RIVERSIDE COUNTY MULTIPLE SPECIES HABITAT CONSERVATION PLAN (MSHCP) LOCAL DEVELOPMENT MITIGATION FEE COLLECTION AND CIVIC/INFRASTRUCTURE CONTRIBUTION REPORT FOR NOVEMBER 2012

Receive and file the Western Riverside County MSHCP Local Development Mitigation Fee Collection and Civic/Infrastructure Contribution Report for November 2012.

9. OVERVIEW OF THE MINOR AND MAJOR AMENDMENT PROCESS

Michelle Ouellette, Legal Counsel – Best, Best & Krieger, LLP, presented an overview of the minor and major amendment process, which was requested at a previous RCA Board meeting. She said that at the time the Multiple Species Habitat Conservation Plan (MSHCP) was drafted, it was not anticipated that the Plan would be amended very often. There is a provision in the Plan for clerical amendments and for minor and major amendments. Any signatory to the Plan may seek amendments. She then reviewed the applicable authority, definition, procedures and approval process for minor and major amendments. She noted the requirement for annexation or de-annexation of property within the Plan Area prepare a minor amendment will be considered for revision. A proposal regarding annexations will be presented to the RCA Board at a future meeting.

Chairman Ashley asked, for example, if a species is proposed to be added to the list of endangered species or additional property is proposed to be included in designation if it would open up the MSHCP. Michelle Ouellette said that since it is a very narrow change, environmental impacts of the proposal would be noted and should not prompt opening up the Plan with a major amendment. However, there is always the concern that the action may initiate opening up the Plan for other changes.

RCA BOARD OF DIRECTORS MINUTES

Page 3 of 5

January 7, 2013

Charlie Landry, Executive Director, added that there is a chance that the Agencies might go for broader amendments.

Adam Rush asked if the RCA could take a look at other HCPs with respect to the minor amendment and strengthen the CEQA aspect to ensure and make the process easier.

Michelle Ouellette said that it is implicit that if a change does constitute a minor amendment, it would not trigger environmental review under CEQA. Going back to the distinction between minor and major amendment, a minor amendment focuses on the biological aspects not so much on the process regarding species coverage. A major amendment that could have adverse impact to species coverage would trigger CEQA. However, a minor amendment is inherently exempt from CEQA because it is not going to have a potential adverse environmental affect. If potentially there will be an issue, an addendum could be done to the implementing agreement. She is confident that the minor amendments that were processed were exempt from CEQA. With regards to other HCPs, they have the same process but if she were to recreate the MSCHP, there would be a longer list of minor amendments already agreed to by the wildlife agencies to avoid disagreements.

In response to Adam Rush asking if adding to the list of minor amendments would prompt a major amendment, Michelle Ouellette said that it would depend on whether the wildlife agencies agree that those are appropriate minor amendments.

It was determined by the RCA Board to receive and file the report on minor and major amendments.

10. **RATIFICATION OF THE CHAIRMAN'S APPOINTMENT FOR THE 2013 RCA EXECUTIVE COMMITTEE**

Chairman Ashley presented his report to ratify his appointment of RCA Board Members to the RCA Executive Committee for 2013. In addition to the statutory members (Chairman, Vice Chairman and Past Chairman), he requested ratification of his appointment of Maryann Edwards, Kevin Jeffries, Eugene Montanez, and Jeff Stone.

M/S/C (KRUPA/RUSH) to ratify Chairman Ashley's appointment for the 2013 Executive Committee.

ABSTAIN: Jeffries, Montanez, Stone

At this time, Chairman Ashley commented that there will be a number of challenges facing the agency, cities and the County. However, with challenges comes opportunity and efforts will be made to make use of the opportunities. Last year, despite the economic situation, the RCA was able to carry on. He is hopeful that the economy and activities improve this coming year, and RCA is successful in its quest for funding in order to meet the Plan's goals.

RCA BOARD OF DIRECTORS MINUTES

Page 4 of 5

January 7, 2013

11. EXECUTIVE DIRECTOR'S REPORT

Charlie Landry reported on the following items:

11.1 Loan Program Update

The last few days in Washington, D.C., revolved around the "fiscal cliff." No action was taken on Senator Dianne Feinstein or Congressman Ken Calvert's proposal in Congress. The House and the Senate will be focusing on the possibility of budget cuts, which may affect the Section 6 funding allocation, which may have an implication to RCA beyond the loan program proposal. As previously reported, Senator Dianne Feinstein and Congressman Ken Calvert have agreed and are prepared to attach the loan program to other legislation. One avenue is attaching the loan program to the Water Resources Development Act legislation that will be before Congress.

11.2 RCA Newsletter

Copies of the RCA Newsletter were distributed to the RCA Board Members and others.

In response to the Chairman's request to detail what the MSHCP has done that would equate to additional jobs, Charlie Landry presented the RCA newsletter which shows a list of infrastructure projects that were expedited through MSHCP and resulted in the creation of jobs. The list was developed in coordination with staff from RCTC and the County of Riverside.

12. ITEMS FOR NEXT MEETING

There were no items requested by the RCA Board for the next meeting.

13. CLOSED SESSION ITEMS

Michelle Ouellette announced the Closed Session items. Chairman Ashley adjourned the meeting to Closed Session.

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

- RIC 1100822 Friends of Riverside's Hills

13.2 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION Significant Exposure to Litigation Pursuant to Subdivision (b) of Government Code Section 54956.9

- One (1) Potential Case

RCA BOARD OF DIRECTORS MINUTES

Page 5 of 5

January 7, 2013

After the Closed Session, the meeting reconvened. Michelle Ouellette announced that the RCA Board took action to authorize the filing of an amicus brief in the matter of Bear Valley Mutual Water Company versus Salazar.

14. ADJOURNMENT

There being no other items before the RCA Board, Chairman Ashley adjourned the meeting. The next meeting of the Western Riverside County Regional Conservation Authority Board of Directors is scheduled for Monday, February 4, 2013, at 12:30 p.m., at the County of Riverside Administrative Center, Board Room, 4080 Lemon Street, Riverside, California.

Respectfully submitted,

A handwritten signature in blue ink that reads "Honey Bernas". The signature is written in a cursive style with a large initial "H" and a long, sweeping tail.

Honey Bernas
Clerk of the Board