



**WESTERN RIVERSIDE COUNTY
REGIONAL CONSERVATION AUTHORITY**

www.wrc-rca.org

MINUTES

Monday, March 6, 2006

1:00 p.m.

1. CALL TO ORDER

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

2. ROLL CALL

Board Members/Alternates Present

Marion Ashley
Dom Betro
Bob Buster
Larry Dressel
Frank Hall
Robin Lowe
John Machisic
Shenna Moqheet
Eugene Montanez
Robert Schiffner
Kelly Seyarto
Jeff Stone
Chuck Washington
Charles White
Mark Yarbrough
John Zaitz

Board Member Absent

Chris Buydos
John Tavaglione
Roy Wilson

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3. PUBLIC COMMENTS

There were no public comments.

4. BOARD MEMBER ANNOUNCEMENTS

4.1 Chairman Seyarto reminded the Board Members to submit their respective Form 700s by deadline date.

4.2 In response to Bob Buster's inquiry whether staff has looked at the Bureau of Land Management (BLM) land that could be or are not a part of the MSHCP, Tom Mullen said that staff is in the process of drafting a letter to the U.S. Forest Service regarding land in the Calimesa area that should be transferred to us or to County Parks. Other land looked at did not seem to affect the MSHCP Plan.

5. ADDITIONS/REVISIONS

There were no additions or revisions.

6. APPROVAL OF MINUTES

M/S/C (STONE/LOWE) to approve the minutes of the February 6, 2006 meeting.

7. CONSENT CALENDAR

M/S/C (LOWE/ASHLEY) to approve the following Consent Calendar items:

7.1 Consideration and Possible Approval of Resolution No. 06-01, a Resolution of the Western Riverside County Regional Conservation Authority Amending Its Bylaws to Alternate Chairperson and Vice Chairperson between Cities and County

Adopt Resolution No. 06-01 amending the Authority's Bylaws to alternate the Chairperson and Vice Chairperson between Cities and County.

7.2 Introduction of Resolution No. 06-02, a Resolution of the Western Riverside County Regional Conservation Authority Amending Its

Bylaws to Include Reimbursement Provision Consistent with AB 1234

Review Resolution No. 06-01 amending the Authority's Bylaws to include reimbursement provisions consistent with AB 1234 and authorize staff to place this matter on calendar for final adoption at the April 3, 2006 meeting of the RCA Board of Directors.

- 7.3** Consideration and Possible Approval of an Agreement between the Western County Regional Conservation Authority and the United States Geological Survey, Western Ecological Research Center to Provide Species Identification, Handling and Protocol Training for Monitoring Staff

Approve the agreement between the Western Riverside County Regional Conservation Authority and the United States Geological Survey, Western Ecological Research Center for species identification, handling and protocol training in an amount not to exceed \$70,000 and authorize the Chairman to execute said agreement on behalf of the Authority.

- 7.4** Consideration and Possible Authorization of the Expenditure of Funds to Complete the Special Area Management Plan

Authorize the expenditure of funds in the amount of \$133,000 to complete the Special Area Management Plan.

- 7.5** Consideration and Possible Approval of an Amendment to the Professional Services Agreement between the Western Riverside County Regional Conservation Authority and Dudek & Associates, Inc.

Approve and authorize the Chairman to execute the Amended Professional Services Agreement between the Western Riverside County Regional Conservation Authority and Dudek & Associates, Inc., and authorize an increase in appropriations in the amount of \$210,000, for a contract amount not to exceed \$560,000.

8. POLICY CALENDAR:

8.1 Consideration and Possible Approval of Core 2 Criteria Refinement Work Plan and Budget

Tom Mullen, Executive Director, iterated to the Board that the goal of the study is to look at habitat within the wildlife corridors of Core 2 to make sure that they are receiving the best protection possible in the existing land use as required or whether Core 2 should be adjusted to provide better biological environment for the target species. This study was proposed because the conservable land within the Core 2 is fragmented and may not support the protection and survival of the primary species in Core 2. The refinement of Core 2 was generally anticipated in the final adoption of the Multiple Species Habitat Conservation Plan (MSHCP) in 2003. The Plan included a criteria refinement process which allowed for flexibility to make adjustments to the Plan based upon updated information involving biological needs of the species. He noted that members of the environmental community who assisted in developing the Plan, including Dan Silver and Jane Block of the Endangered Habitats League, supported the criteria and found it necessary in order to achieve the original conservation goals of Core 2. He also noted that a Core 2 refinement proposal was submitted to the County of Riverside in March 2003 by the Center for Biological Diversity, which will be studied and considered as part of the criteria refinement.

Joe Richards, Deputy Executive Director, stated that the refinement study was requested by the City of Murrieta and the County of Riverside. Staff is requesting Board approval to undertake the biological refinement study, which is anticipated to take approximately 12 to 18 months to complete. The estimated budget for the process is - \$150,000 (Biological/Equivalency Analysis \$100,000, Mapping Support \$25,000, RCA Staff/Counsel Support \$25,000). He requested that the Board recognize that the resulting finding may have Plan wide ramifications as it may affect other areas within the Plan. A systematic biological evaluation must be done in order to make any judgment on the refinement or reconfiguration of Core 2.

At this time, Tom Mullen noted two letters that were presented to the Board:

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- 1) Dated March 13, 2003 from Dan Silver, Executive Director of the Endangered Habitats League, agenda packet regarding comments on the Western Riverside County MSHCP and the EIR/EIS prepared for the League; and,
- 2) Dated March 2, 2006 jointly from the Center for Biological Diversity, the California Native Plant Society, San Bernardino Valley Audubon Society, and the Sierra Club indicating their concern and opposition to reducing the reserve area within Core 2 and potentially eliminating the area as a core reserve, and increasing Core 7.

Chuck Washington asked if staff had had a chance to review the numbers provided by Dan Silver concerning land cost and whether fragmentation problems existed outside Core 2. Tom Mullen stated that an approval for two requests for proposals will be presented to the Board at a future meeting for a programmatic study and an economatrix study. The economatrix study will provide analysis such as acquisition cost per acre in five year increments over the 25-year plan.

Joe Monaco, Dudek & Associates, stated that the fragmentation issue was found in the Core 2 area.

In response to Shenna Moqheet's questions whether affected land identified as a result of the study will be on the website and if some of the land may be open for public use, Tom Mullen indicated that if other land may be affected. Also, if biologically possible, land will be open for public use for such things as hiking or as an equestrian trail. He reminded the Board that RCA acquires land primarily for habitat and not for recreational use.

Robin Lowe asked if the study to be done will impact and curtail activities in other core areas. Tom Mullen said that it will not stop activities in the other core areas. When there is land equal or better than Core 2, staff will bring back a recommendation to the Board for approval.

At this time, Chairman Seyarto called upon the following requests for public comments:

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1. Jane Block, speaking as a Committee member of the Endangered Habitats League, stated her support for the concept of the proposal for a Plan Refinement for Core 2. As it was noted in 2003, they recognized that Plan reconfigurations are warranted over time. They see two general goals: 1) It is imperative to understand a clearly defined species and habitat objectives are now appropriate; and, 2) It is then important to equally reconfigure the overall to afford the changes and produce an overall superior outcome for the species and habitat as concerned. She commended the systematic and comprehensive biologically driven approach, as recommended by staff and she urged the Board to move forward.
2. Vicki Long, who is concerned about the corridors for mountain lions and large mammals, asked the Board to include a comment period in the process to provide an opportunity for the public to review and comment on the study, once completed.
3. Bob Wheeler voiced his concerns about the proposed Core 2 Refinement Work. He stated that during his 2 ½ years serving as an MSHCP Committee Member of the RCIP and Coordinating Committee Member for the County of Riverside, he does not recall that refinement was amendment. There was no time or funds to refine the map at that point and acknowledged that a refinement was necessary. However, the proposal to refine, amend and trading off between the Cores was what he perceived it to be. He claimed that this proposal is to appease the developers and noted that there are 145 species that have to be considered and that Core 2 is a viable Core for the species.

Chairman Seyarto stated that this proposal is not an attempt to eliminate Core 2 area but to bring the Core 2 area into the useful purpose for which the MSHCP was created. There are some critical corridors in Core 2 and the biologists hired to study, as part of the work plan, will inform the Board whether the Plan is appropriate as it is or propose refinements.

Chuck Washington asked for clarification of the appeal process included in the work plan. Joe Richards stated that during the process, staff will

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secure consensus from the environmental community and others, so this may not be needed. He said that during the process, staff may provide status reports to the Board every three to four months.

Bob Buster, based on the questions in the letters and public comments received, asked: 1) why if a major change could be made by the criteria refinement what are amendments reserved for; and, 2) why are the benefiting land owners and developers not paying for the proposed work.

Michelle Ouellette, Legal Counsel, said in accordance with the Plan, if it does not qualify for criteria refinement then it would be considered as part of the amendment process. The result of the biological analysis will determine whether it would be a criteria refinement or an amendment process.

Tom Mullen stated that staff is in the process of reviewing the fee process.

Robin Lowe asked that staff keep the affected public jurisdictions apprised during the process.

M/S/C (Washington/Ashley) to approve:

- 1) The proposed budget and work plan to include in the process for staff to provide status to the Board every 4 months after its start as well as a public comment period at the completion of the study; and,*
- 2) The use of RCA funds to undertake the refinement process, based on the finding that the process will result in a reduction of land acquisition costs.*

Abstained: Lowe, White

8.2 Consideration and Possible Approval of Western Riverside County Regional Conservation Authority Land Acquisition Policies

Joe Richards asked the Board Members that the section related to endowments be referred to the Administrative Committee. He recommended approval to endorse the acquisition policies and presented the proposed land acquisition policies.

M/S/C (White/Stone) to adopt the land acquisition policies, as presented and included in the agenda packet with the exception of the endowment provision.

9. UPDATE ON LAND ACQUISITIONS

Ken Graff, Director of Land Acquisitions and Property Management, informed the Board that the Kramer property in Calimesa closed on March 3, 2006. To date, 26,101 acres have been acquired.

10. CALL BACK ITEMS

10.1 Update on the Threatened and Endangered Species Recovery Act (TESTRA)

Michelle Ouellette, Legal Counsel, informed the Board that the TESRA bill passed the House in September 2005 and currently sits in the Senate Public Works Committee. She noted of collaboration, which has some similarities to the TESTRA bill for the Recovery of Endangered Species Act, introduced on December 15, 2005 and this also sits in the Senate Public Works Committee. In addition, the Senate Environmental Public Works Chairman is also working on a similar bill. The Board will continue to be kept apprised on activities of the bills.

11. ITEMS FOR NEXT MEETING

Tom Mullen stated that items to be presented to the Board at a future Board meeting include a request for proposal for an Economatrix Study; a surplus real property policy; and an Administrative Service Fee Policy for Joint Project Review, Criteria Refinement, and MSHCP Amendment

12. CLOSED SESSION

1. Conference with Real Property Negotiators

Property: Assessor's Parcel Nos. 915-280-010, 915-280-01
915280-018, 951-280-022, 915-280-023

Negotiating Parties

Agency: Director of Land Acquisition and Property Mgmt.

Property Owner: John Bell

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Under Negotiation: Price/Terms of Payment

2. Conference with Real Property Negotiators

Property: Assessor Parcel Nos. 257-130-001, 257-130-007

Negotiating Parties

Agency: Director of Land Acquisition and Property Mgt.

Property Owner: Christie Coats/Springbrook Investments

Under Negotiation: Price/Terms of Payment

4. Conference with Real Property Negotiators

Property: Assessor Parcel Nos. 473-110-001, 473-110-019,
473-110-020, 473-110-024, 473-120-008

Negotiating Parties

Agency: Director of Land Acquisition and Property Mgt.

Property Owner: Don DiLello/Pecuniary Cap Group

Under Negotiation: Price/Terms of Payment

5. Conference with Real Property Negotiators

Property: Assessor's Parcel Nos. 581-100-043

Negotiating Parties

Agency: Director of Land Acquisitions and Property Mgt.

Property Owner: Alex Stamatakis/United Five

Under Negotiation: Price/Terms of Payment

6. Conference with Real Property Negotiators

Property: Assessor's Parcel Nos. 583-050-007

Negotiating Parties

Agency: Director of Land Acquisitions and Property Mgt.

Property Owner: Alex Stamatakis/United Five

Under Negotiation: Price/Terms of Payment

7. Conference with Real Property Negotiators

Property: Assessor's Parcel No. 581-190-006

Negotiating Parties

Agency: Director of Land Acquisitions and Property Mgt.

Property Owner: Alex Stamatakis/United Five

Under Negotiation: Price/Terms of Payment

8. Conference with Real Property Negotiators

Property: Assessor's Parcel No. 583-070-003

Negotiating Parties

Agency: Director of Land Acquisitions and Property Mgt.

Property Owner: Ulf Grefeit/Smith

Under Negotiation: Price/Terms of Payment

There were no announcements from Closed Session.

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13. ADJOURNMENT

There being no other business before the Board, Chairman Seyarto adjourned the meeting at 2:06 p.m. The next meeting of the Western Riverside County Regional Conservation Authority Board of Directors is scheduled to be held on Monday, April 3, 2006, at 1:00 p.m. at the County Administrative Center, Board Room, 4080 Lemon Street, Riverside, California 92501.

Respectfully submitted,

Honey Bernas
Clerk of the Board