



MEETING MINUTES

1. CALL TO ORDER

The meeting of the Western Riverside County Regional Conservation Authority was called to order by Vice Chair Scott Miller at 12:36 p.m. Monday, September 9, 2013, in the Board Room of the Riverside County Administrative Center, 4080 Lemon Street, Riverside, California 92501.

2. PLEDGE OF ALLEGIANCE

Eugene Montanez led the RCA Board Members and meeting attendees in a flag salute.

3. ROLL CALL

Board Members Present

Kevin Bash, *City of Norco*
Ben Benoit, *City of Wildomar*
Roger Berg, *City of Beaumont*
Tim Brown, *City of Canyon Lake*
Maryann Edwards, *City of Temecula*
Debbie Franklin, *City of Banning*
Tom Fuhrman, *City of Menifee*
Jim Hyatt, *City of Calimesa*
Kevin Jeffries, *Riverside County District 1*
Verne Lauritzen, *City of Jurupa Valley**
Scott Miller, *City of San Jacinto*
Shellie Milne, *City of Hemet*
Jesse Molina, *City of Moreno Valley*
Eugene Montanez, *City of Corona*
Harry Ramos, *City of Murrieta**
Jeff Stone, *Riverside County District 3*
John Tavaglione, *Riverside County District 2*
Ella Zanowic, *Riverside County District 5 Alternate*

Board Members Absent

John Benoit, *Riverside County District 4*
Mike Gardner, *City of Riverside*
Natasha Johnson, *City of Lake Elsinore*
Adam Rush, *City of Eastvale*
Mark Yarbrough, *City of Perris*

**Arrived after start of the meeting.*

4. PUBLIC COMMENTS

There were no public comments.

5. BOARD MEMBER ANNOUNCEMENTS

There were no Board Member announcements.

RCA BOARD OF DIRECTORS MEETING MINUTES

Page 2 of 7

September 9, 2013

6. ADDITIONS/REVISIONS

There were no additions/revisions to the agenda.

7. APPROVAL OF MINUTES

M/S/C (FUHRMAN/EDWARDS) to approve the minutes of the June 3, 2013, as submitted.

Abstain: Berg, Molina

8. CONSENT CALENDAR

M/S/C (BBENOIT /EDWARDS) to approve the following Consent Calendar items:

8.1 WESTERN RIVERSIDE COUNTY MULTIPLE SPECIES HABITAT CONSERVATION PLAN (MSHCP) LOCAL DEVELOPMENT MITIGATION FEE COLLECTION AND CIVIC/INFRASTRUCTURE REPORT FOR MAY, JUNE AND JULY 2013

Receive and file the Western Riverside County MSHCP Local Development Mitigation Fee Collection and Civic/Infrastructure Report for May, June and July 2013.

8.2 PROFESSIONAL SERVICES AGREEMENT BETWEEN THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY AND AERIAL INFORMATION SYSTEMS, INC.

Approve the Professional Services Agreement between the Western Riverside County Regional Conservation Authority and Aerial Information Systems, Inc.

8.3 FISCAL YEAR 2013 FOURTH QUARTER CONSULTANT REPORTS

Receive and file the Fiscal Year 2013 Fourth Quarter Consultant Reports.

8.4 FISCAL YEAR 2013 PRELIMINARY FOURTH QUARTER (UNAUDITED) FINANCIAL REPORT AND BUDGET ADJUSTMENTS

Receive and file the Fiscal Year 2013 Preliminary Fourth Quarter Financial Report.

9. PRESENTATION – RESERVE MANAGEMENT UPDATE

RCA Reserve Manager Dustin McLain, Riverside County Park and Open Space District, expressed his appreciation for having a job that deals with wildlife and nature. He then

RCA BOARD OF DIRECTORS MEETING MINUTES

Page 3 of 7

September 9, 2013

presented an update on the Reserve Management Program. Under contract with the RCA, Riverside County Parks manages 27,880 acres of RCA land. There are currently 7.75 positions assigned to RCA. Management efforts for 2012 included installation of approximately 2,000 feet of fencing, repair of approximately 770 feet of existing fencing due to vandalism or theft, utilization of 875 hours of court worker labor, and nine incidents which were severe enough to warrant official incident reports. Those incidents included: hazardous waste dumping, marijuana cultivation, metal theft, property damage, verbal threats, a helicopter crash, and vehicle accidents.

Management efforts focused on: 1) property protection and security, including fencing and gates, off-highway vehicle (OHV) use, vandalism, and dumping; and, 2) Habitat Management Plan development, including target species, vegetation management (fire, mowing and grazing), and adaptive management. In September 2010, the USFWS granted RCA \$15,620 in Partners for Wildlife Funds to improve habitat on the RCA Reynolds property. Dustin McLain gave an overview of the project and showed pictures of the Reynolds property improvement where approximately four acres of Tamarisk were removed and native plants were replanted. This effort has increased diversity and resulted in animals utilizing the acreage. Another undertaking is the Western Pond Turtle Winchester Murrieta 700 relocation and the telemetry study of movement of relocated and resident turtles. In addition, other management activities included: 1) the implementation of Eastern Municipal Water District San Jacinto River habitat improvements; 2) overseeing ongoing CalMat property restoration, which is funded by a State grant; 3) overseeing the Mulder property riparian/restoration project; 4) setup of golden spotted oak borer trap; 5) installation of wildlife guzzler used by wildlife such as coyotes, Cooper's hawk, and mule deer; and, 6) feral pig depredation approval and trapping effort at Wolfskill Driscoll.

Debbie Franklin asked about efforts as a result of the wildfires, and Dustin McLain described their involvement with human set and natural occurring fires.

Charlie Landry, Executive Director, said that in addition to the Reserve Management staff, RCA has a consultant that continuously monitors vegetation/weather consideration/fire situations and works closely with CALFIRE.

Jim Hyatt asked whether a guzzler needs to be installed in San Timoteo Canyon since the San Timoteo Creek exists. Dustin McLain explained that in areas with a natural spring, efforts include reinforcement and maintaining water throughout the year by decreasing the surface area to add volume and make it deeper.

On behalf of the RCA Board, Vice Chair Miller thanked Dustin McLain for presenting the Reserve Management update. He also appreciated his passion toward his work as the Reserve Manager for RCA.

RCA BOARD OF DIRECTORS MEETING MINUTES

Page 4 of 7

September 9, 2013

10. WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY MULTIPLE SPECIES HABITAT CONSERVATION PLAN (MSHCP) ANNUAL REPORT 2012

Toby Soto, Chief of Technical Information, said that as required by the MSHCP and Implementing Agreement, an Annual Report is prepared covering the activities of the RCA, including acquisitions and a summarizing the development activities of its Permittees. The annual report is distributed to the Permittees, Wildlife Agencies, and RCA Board Members. It is also posted on the RCA's website. The 2012 MSHCP Annual Report includes the following:

- 1) Habitat Gains Acquisitions/Reserve Assembly – 1,075 acres were acquired, donated or obtained through the local development process contributing to Additional Reserve Lands (ARL). The total Additional Reserve Land (ARL) acquired as of December 2012 is 45,775 acres (6,229 federal, 11,121 state, 28,426 local). Funding for acquisitions totals \$441,080,742, including donation values.
- 2) Habitat Losses – 2,080 acres of new development was approved by Permittees within the MSHCP area, 1,813 acres of development occurred outside of the MSHCP Criteria Cells, and 267 acres of development occurred inside the MSHCP Criteria Cells which were applied to the Rough Step calculations.
- 3) Rough Step Analysis – There are nine Rough Step Units. In eight Rough Step Units, thirty-seven Vegetation Communities have Rough Step acreage goals. Only one of the thirty-seven vegetation communities remained out of Rough Step (RSU 8, Grasslands), and within Rough Step Unit 5, the vegetation community of Coastal Sage Scrub was moved back into Rough Step.

Jim Hyatt asked what the percentage of development occurring inside of the Criteria Area(s) was attributed to and if development was deterred by the fact that they are within a Criteria Cell. Toby Soto agreed that there is more development activity (80%) outside of the Criteria Cells than within the Criteria Cells (17%).

Laurie Correa, Director of Reserve Management and Monitoring, added that one factor is that the areas within the Criteria Cells are not the most developable properties in the County as they are low pressure areas, i.e., eastern part of the Plan Area or ridge line or streambeds. Properties are not being prevented from being developed if they are not needed for Reserve Assembly, which is determined during the Joint Project Review (JPR) process.

Jim Hyatt said that he wanted to make certain that the point is made that, unlike the perception by some, the Plan is not hindering development. He mentioned the cell criteria issue in Calimesa

RCA BOARD OF DIRECTORS MEETING MINUTES

Page 5 of 7

September 9, 2013

Laurie Correa stated that for this reason, staff has reviewed the subject areas that were mentioned and found that there were a number of land use related factors that restricted some areas from development such as slope, topography, access, and infrastructure. Sometimes the MSHCP is used as a convenient “catch all” reason for not being able to develop a property. There are some cases where property is all called out for conservation, and when that happens, RCA will do its best to acquire such properties. However, it is the reverse in Calimesa as they are looking to locate the corridor in a different location.

Roger Berg spoke about revenues needed in order for RCA to accomplish its goal. He then talked about developments, including public projects, that are noticeably being built or completed in areas but the report shows little or no revenues were submitted to RCA due to exemptions. He wondered whether the number of developments, exemptions, and fees being submitted are being verified. Revenues are much needed to be able to acquire the reserves.

Charlie Landry related that audits of development agreements were not done when RCA was established. Current, audits are performed on an annual basis. The issues of concern are related to the effective start and end dates of the development agreements.

Vice Chair Miller said that staff could expand the monthly Development Fee Report to include development agreement information such as term of executed agreements and the affected revenues.

11. EXECUTIVE DIRECTOR'S REPORT

Charlie Landry, Executive Director, reported on the following:

11.1 Loan Program Update

As reported at the last meeting, the Senate-passed Water Infrastructure Finance Innovation Act (WIFIA) included the provision on the loan guarantee. The bill is now in the House. Senator Dianne Feinstein and Congressman Ken Calvert are introducing stand-alone legislation for Habitat Conservation Plans (HCPs) to the Committee and have garnered a number of supporters. Another impending legislation, the Transportation Infrastructure Finance and Innovation Act (TIFIA), is one that may possibly include the loan program. Staff will continue to provide updates.

11.2 RCTC Projects – MSHCP Benefits/Obligations

An RCTC letter was received requesting that RCA provide information with regard to the benefits and obligations of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) as it related to: 1) RCTC's involvement in the MSHCP and the RCIP; 2) the MSHCP permittees; 3) RCTC's obligations and contributions; 4) how current RCTC projects may be affected if permits are revoked

RCA BOARD OF DIRECTORS MEETING MINUTES

Page 6 of 7

September 9, 2013

or modified; and, 5) its impact to upcoming RCTC projects. Staff responded to the issues presented by RCTC and Charlie Landry appeared before the RCTC Board meeting on July 10, 2013 and made a presentation on the benefits of the MSHCP to RCTC projects and to Western Riverside County. Scenarios were also presented if a permittee(s) determines to terminate their MSHCP membership. No action was taken by RCTC on this item.

Vice Chair Miller stated that he, too, was at the RCTC meeting and he communicated the significance and importance of showing collective support of Riverside's MSHCP to state and federal agencies.

Roger Berg, an RCTC Board Member, said that he spoke at the RCTC meeting and iterated that MSHCP is advantageous to continue building needed infrastructure projects in Western Riverside County. He expressed to RCTC Board Members the need for Permittees to continue support of the MSHCP.

11.3 City of Hemet, Vernal Pools

Staff has been working with the City of Hemet on a comprehensive plan identifying core reserve and development areas and other issues related to their General Plan. Staff will continue to provide updates on this matter.

Shellie Milne, on behalf of the City of Hemet, thanked the RCA Board and staff for their support and assistance.

11.4 Permittee Training

RCA staff held two permittee training sessions and they were attended by staff from local agencies, RCTC, Flood Control, and consultants.

12. LAND ACQUISITION UPDATE

Brian Beck reported that since the last RCA Board meeting, 340 acres were added to the reserves bringing the reserve total to 46,601 acres.

13. ITEMS FOR NEXT MEETING

There were no items requested for the next meeting.

At this time, Vice Chair Miller adjourned the meeting to Closed Session.

14. CLOSED SESSION ITEMS

14.1 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 No.	Property Owners
1	391-110-003	David A. Beador and Shannon S. Beador
2	933-140-016	Steven J. Kay

14.3 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Paragraph 1 of Subdivision (d) of Government Code Section 54945.9

- **RIC 1203353 Paulek vs. Western Riverside County Regional Conservation Authority**
- **MCC 1300222 Warren Road Partners, L.P. vs. Western Riverside County Regional Conservation Authority**
- **RIC 10004733 Calvary Chapel of Murrieta vs. Western Riverside County Regional Conservation Authority; City of Murrieta**

After Closed Session, the meeting reconvened. There were no announcements from the Closed Session items.

15. ADJOURNMENT

With no other items before the RCA Board, Vice Chair Miller adjourned the meeting. The next meeting of the Western Riverside County Regional Conservation Authority Board of Directors is scheduled for Monday, October 7, 2013, at 12:30 p.m., at the County of Riverside Administrative Center, Board Room, 4080 Lemon Street, Riverside, California.

Respectfully submitted,



Honey Bernas
Clerk of the Board