



EXECUTIVE COMMITTEE MINUTES

www.wrc-rca.org

1. CALL TO ORDER

The meeting of the Western Riverside County Regional Conservation Authority Executive Committee was called to order by Chairman Ingram at 12:05 p.m., Wednesday, September 18, 2019, at the RCA Conference Room, 3403 Tenth Street, Suite 320, Riverside, California, 92501.

2. ROLL CALL – was taken by April Boydd.

COMMITTEE MEMBERS PRESENT	COMMITTEE MEMBERS ABSENT
Jonathan Ingram, Chairman – City of Murrieta	Natasha Johnson, Vice Chair – City of Lake Elsinore
Lesa Sobek – City of Menifee	
Crystal Ruiz – City of San Jacinto	
Kevin Jeffries – County of Riverside, District 1	
Jeff Hewitt – County of Riverside, District 5	

**Arrived after start of meeting ** Departed before meeting adjourned*

3. PUBLIC COMMENTS

There were no public comments.

4. COMMITTEE MEMBER ANNOUNCEMENTS

There were no Committee Member announcements.

5. ADDITIONS/REVISIONS

There were no additions or revisions to the agenda.

6. APPROVAL OF MINUTES – August 21, 2019

M/S/C (City of Menifee/City of San Jacinto) to approve the minutes of the August 21, 2019 meeting of the Executive Committee as submitted.

(4 Ayes, 0 Nays, 1 Abstain)

7. WESTERN RIVERSIDE COUNTY MSHCP FEE COLLECTION REPORT FOR AUGUST 2019

Honey Bernas, Deputy Executive Director, reported that for the month of August 2019, the total of fee collection receipts was \$1,288,392.

Board Member Sobek asked if there is a different fee for the Civic and Infrastructure Contributions.

Honey Bernas stated that there is a different fee for the Civic and Infrastructure Contributions. She advised that for Flood Control projects, the fee is 3% of construction costs and for roadway projects, the fee is a 5% of construction costs, excluding TUMF and Measure A funds. Civic projects are subject to the per acre fee.

M/S/C (City of San Jacinto/County of Riverside District 5) to approve this item as recommended:

- 1) **Recommend that the RCA Board of Directors receive and file the Western Riverside County MSHCP Fee Collection Report for August 2019; and**
- 2) **Authorize staff to agendize this matter for the October 7, 2019, meeting of the RCA Board of Directors.**

(5 Ayes, 0 Nays, 0 Abstain)

8. RESOLUTION NO. 2019-013, RESOLUTION OF THE BOARD OF DIRECTORS OF THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY ADOPTING A SOCIAL MEDIA POLICY

John Field, Director of Land Acquisition, gave a brief overview of the Social Media Policy. On September 10, 2018, the RCA Board approved a contract with OPR Communications, Inc., for a public outreach campaign and on-call media services.

Chairman Ingram asked for clarification on what social media platforms are going to be used.

Honey Bernas answered that Facebook, Instagram and Twitter will be used.

Chairman Ingram requested that RCA consider including Snapchat.

RCA EXECUTIVE COMMITTEE MINUTES

Page 3 of 9

September 18, 2019

Board Member Sobek stated that when things are posted on a social media platforms, they will automatically be posted on the website.

Board Member Ruiz stated that her only concern is that Board Members will violate the Brown Act by responding to social media posts.

Chairman Ingram stated that Board Members should not respond to issues on social media and that RCA will have a staff member monitor and respond to posts.

Steve DeBaun, Legal Counsel, stated that RCA will also need to consider Public Records Act requests.

Board Member Hewitt stated that social media is a great tool.

Chairman Ingram stated that staff will monitor the platforms and approve responses.

M/S/C (City of San Jacinto/ City of Menifee) to approve this item as recommended:

- 1) **Recommend that the RCA Board of Directors receive and file the Western Riverside County MSHCP Fee Collection Report for August 2019; and**
- 2) **Authorize staff to agendize this matter for the October 7, 2019, meeting of the RCA Board of Directors.**

(5 Ayes, 0 Nays, 0 Abstain)

9. AUTHORITY TO SIGN A TIME EXTENSION FOR THE AGREEMENT FOR THE PURCHASE OF FIFTY COLTON DUNES CONSERVATION BANK CREDITS BETWEEN THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY AND CALMAT COMPANY

John Field, Director of Land Acquisition, presented a brief overview of the item. On September 10, 2018, the RCA Board approved a funding agreement regarding the Crestmore Redevelopment, LLC, project to repurpose the former Riverside Cement Plant in the City of Jurupa Valley. On April 1, 2019, the Board approved an agreement with CalMat Company utilizing the funds from the Crestmore agreement in order to satisfy conservation requirements for the Delhi Sands flower-loving fly (*Rhaphiomidas terminatus abdominalis*) for the Agua Mansa area in the City of Jurupa Valley. At the same time, the Board approved an amendment to the Crestmore agreement in order to address some minor changes to the provisions in the agreement and give the Executive Director authorization to extend the agreement if necessary. The project has to go through the City of Jurupa Valley's entitlement process, and it has not gone through the process quickly enough to be completed this calendar year. The Executive Director has authority to extend the Crestmore agreement. The approval of this item will give the Executive Director the ability to extend the CalMat agreement if necessary.

Charles Landry stated that RCA does not want to extend one agreement without the other being extended.

Chairman Ingram asked John Field to elaborate on the different agreements.

John Field stated that the agreement with CalMat is for the purchase of 50 conservation credits in the Colton Dunes Conservation Bank and to acquire the credits at a reduced price. The other agreement is with Crestmore Redevelopment, LLC, pertaining to the MSHCP fees associated with their project to remediate and repurpose the former Riverside Cement Plant in the City of Jurupa Valley.

Chairman Ingram asked if RCA has the ability to purchase additional credits from the bank in the future if necessary.

Charles Landry responded in the affirmative.

Chairman Ingram asked how many acres RCA is acquiring.

Charles Landry stated that RCA is acquiring 50 acres.

M/S/C (City of Menifee/County of Riverside District 5) to approve this item as recommended:

- 1) **Recommend that the RCA Board of Directors authorize the Executive Director of RCA to approve a time extension of the CalMat Agreement in the event one is necessary; and**
- 2) **Authorize staff to agendize this matter for the October 7, 2019, meeting of the RCA Board of Directors.**

(5 Ayes, 0 Nays, 0 Abstain)

10. DISCUSSION CONCERNING WILDFIRE ISSUES AND POSSIBLE RETENTION OF A STATE LOBBYING FIRM

This item is for the RCA Executive Committee to discuss wildfire issues and possibly retaining a state lobbying firm to obtain additional funding.

Charles Landry, Executive Director, stated that RCA is working to create a management plan to address concerns regarding wildfire issues, particularly defensible space, in order to protect the public and reduce liability. Staff is also exploring available funding options for wildfire management, including land acquisition, which could be done in coordination with the cities, the County of Riverside, and Cal Fire. RCA is also considering retaining a state lobbying firm to assist in its efforts to obtain available funding.

RCA EXECUTIVE COMMITTEE MINUTES

Page 5 of 9

September 18, 2019

Tricia Campbell, Director of Reserve Management and Monitoring, stated that currently the state has a Regional Forest and Fire Capacity program. The program provides funding to entities and one of those entities is the Inland Empire Resource Conservation District (IERCD). She advised that she reached out to Mandy Parks to find out what the program is all about, as IERCD has received a lot of funding to work with local entities, such as cities and local fire councils. The IERCD works with the entities and provides funding to create and implement programs for fire management policies to reduce catastrophic fires. RCD's have specific district lines. There are three other RCD's in the Plan Area; however, Ms. Parks did not know if any of the other districts had received these funds. Therefore, Ms. Campbell reached out to TEAMRCD (Temecula-Elsinore-Anza-Murrieta RCD) and the San Jacinto Basin RCD to ascertain if they are moving forward on any regional planning efforts. She is scheduled to meet with the San Jacinto Basin RCD on September 23, 2019, and will contact the RCD of San Diego. Resource Conservation Districts (RCD's) are quasi-public entities that receive local funds and other resources. RCD's facilitate conservation, but also management of those resources for cities and local municipalities, including mitigation and policy improvements. The San Diego RCD person does a lot of work with cities that are dealing with issues similar to RCA's with regard to lands that are high fire risk in and amongst developments. RCA is looking at what the Plan says RCA can do in terms of fire abatement for protection of public safety and biological resources and developing a fire policy on a regional scale. RCA will need the help of the cities and permittees in this effort. She had a meeting with Fire Marshal Chris Jensen of the City of Murrieta and several Fire Chiefs to highlight lands in and amongst development in critical need of fire abatement. Since the Plan does not provide take of species for other entities to do management under such circumstances, RCA is looking at how it can facilitate fire abatement in those areas on a regional level.

Chairman Ingram stated that one of the issues with the Plan is that between Flood Control and the areas that have been acquired and developed, there was never anything in the Plan that gave a scope of what the authority to go in from a mitigation standpoint or modify the permit. The big issue today is if a city or county has to obtain permits through Flood Control, prepare an environmental impact report and do everything required, it would cost millions of dollars. He spoke with Congressman Calvert's staff and others concerning the issue and suggested that rather than doing nothing, RCA and its members need a reprieve on the permits so that the cities and County can do the cleanup and then maintain the acreage. The Fire Marshals agreed this issue needs to be addressed, but funding is required.

Board Member Hewitt stated that he met the Fire Chief this morning. It is their policy to let fires burn out in environmental areas. The Tenaja Fire in the Santa Rosa Plateau area was put out, but CAL FIRE/Riverside County will be working there for quite some time just to undo damage cause by dozers. They prefer to let the fire burn, as damage from a fire is natural, and the habitat will grow back. RCA's job is to protect critters, but the real job is to protect humans first by getting defensible space and maintaining it.

RCA EXECUTIVE COMMITTEE MINUTES

Page 6 of 9

September 18, 2019

Board Member Ruiz stated that the Fire Department in her area let the recent fire burn and protected the people and homes. There was an island in the middle that didn't catch on fire, and it was intentionally burned to avoid a larger problem in the future.

Chairman Ingram stated that RCA is working with individuals who will assist in developing a fire management plan, which will be brought back to Executive Committee in the future.

Board Member Ruiz stated that time is of the essence and this matter needs to be addressed now. Chairman Ingram stated that he agreed, but asked that everyone keep in mind that this effort will require funding which was not anticipated in Plan. This needs to be addressed in the Nexus Study Update.

Board Member Hewitt suggested that perhaps the answer is going to Sacramento and lobbying for waivers.

Charles Landry stated that RCA has the ability to perform some of the work under the Plan, but must go through a process in order to do it.

Tricia Campbell stated that the work performed has to make sense both ecologically and public safety wise. RCA is in a difficult situation trying to balance public safety and maintaining its permits. There is fire risk associated with open space.

Chairman Ingram stated that you cannot tell someone that developed 20 years ago that they are responsible. The policy concerning defensible space and the other things that were needed should have been included in the Plan, as it is nearly impossible to address this issue ex post facto.

Tricia Campbell stated that after meeting with Chris Jensen and reviewing properties that she was exploring the possibility of providing coverage for fire management through the MSHCP via conservation easements and MOU's depending upon where the lands are located and abatement approach.

Chairman Ingram explained that Chris Jensen is the Murrieta Fire Marshal. He developed San Diego County's plan for their wildfire issues and has a lot of experience. Chairman Ingram stated that RCA will pursue funding from the county or state if available.

Board Member Ruiz suggested that RCA look to the Federal Government, who is willing to help.

Board Member Jeffries asked if RCA talked to the Cal Fire Foresters. Charles Landry stated that RCA met with Fire Chiefs. Board Member Jeffries suggested that RCA meet with the Foresters, as they are more familiar with funding matters. Chairman Ingram stated that one of the meeting participants was from Forestry, and he recommended that RCA seek the assistance of a lobbyist experienced in Sacramento. Board Member Jeffries stated that the last person he would go to for help is a lobbyist because they do

RCA EXECUTIVE COMMITTEE MINUTES

Page 7 of 9

September 18, 2019

not know how to do plans or what is required. He stated that Cal Fire has tens of millions of dollars in state grants for fuel modifications to do fuel breaks. He stated that they need projects, but it takes five to 10 years to get a project through. Chairman Ingram said he was told that funding was mountain centric and that they were more focused on the overgrowth in the mountain communities, such Big Bear and Arrowhead. Board Member Jeffries stated that they are supposed to do the whole front country of the Cleveland from Temescal to Bear Creek. Chairman Ingram stated that RCA has spent millions of dollars building the reserve, and he would hate to see them destroyed if it can be avoided. Board Member Jeffries stated that he understood, but in his experience, you can't touch the open space. When out fighting fires, they have to let it burn, as they cannot use bulldozers or air tankers. Chairman Ingram asked if the permit needs to be modified to address this issue.

Charles Landry stated that Legal Counsel will look at the language of the Plan and see what leeway RCA has, particularly in an emergency.

Board Member Jeffries stated that there used to be Fire Safe Councils that were recognized by the State and Federal Governments and received funding to do fuel abatement and fuel modification programs.

Chairman Ingram asked if Board Member Jeffries would share any numbers he might have with staff.

Board Member Sobek stated that in certain cases fire actually helps habitat, but understands the concern regarding homes and structures. She recently went on a tour of Lake Mathews where a controlled burn was done, which brought back Stephens' kangaroo rat habitat.

Board Member Ruiz stated that the rain after a fire is a huge concern so prevention is important.

Chairman Ingram stated that RCA has had success with lobbyists.

Board Member Ruiz stated that she is not a fan of lobbyists. She suggested if RCA is going to consider retaining the services of a lobbyist, that a detailed scope of services and objectives be developed.

Chairman Ingram stated that RCA has been successful with the lobbyists' endeavors and the Board will have oversight.

Board Member Jeffries suggested that RCA not waste money on a lobbyist and instead hire a professional that does Fire Management Planning and understands the business. He stated that RCA needs someone that can identify what RCA needs in the way of legislation or Plan changes and what is needed in the way of funding to carry it out. Hiring a lobbyist without a plan in place does not make sense.

RCA EXECUTIVE COMMITTEE MINUTES

Page 8 of 9

September 18, 2019

Chairman Ingram stated that he had no issue with the suggestions. He stated that RCA should find the individuals and/or entity that do what Board Member Jeffries is suggesting and bring that information and a quote back to the Board for approval.

Board Member Ruiz stated that it would be nice if the Board could have a discussion with the individual and/or entity and requested that they be present at the meeting.

Board Member Sobek stated that her experience with the lobbyist in her city has not resulted in anything.

Board Member Ingram stated that RCA has been passed up for the lion's share of money from the State, and RCA as an agency needs to be more aggressive at going after it.

Board Member Ruiz stated that RCA needs to be more focused on what it is going after.

Chairman Ingram stated that it's not only the wildfire, but the total Plan.

Board Member Sobek stated that this sounds like a huge task for staff. She suggested that staff take their time and not hurry through it.

Chairman Ingram stated that this item is for receive and file and directed staff to place this matter on the next Executive Committee agenda.

11. EXECUTIVE DIRECTOR'S REPORT

11.1 UPDATE CONCERNING WILDLIFE REFUGE

Charles Landry, Executive Director, reported that the House Committee of Natural Resources is holding a hearing on a number of issues, including the Refuge bill, on Tuesday, September 24, 2019, which is good news. The bill is moving forward and has bipartisan support. Senator Feinstein's staff has indicated no concerns regarding the legislation, but the timing of a Senate bill is unknown.

Chairman Ingram stated that these bills are a prime example of the value of RCA's lobbyists. Without the efforts Wheeler and Kadesh, RCA would not have received the bipartisan support needed for these bills. He asked how much funding RCA will have access to if the Refuge bill passes.

Charles Landry stated that Land, Water, and Conservation Funds are estimated to be \$80 to \$120 million a year nationwide for acquisitions, which is five times more than Section 6. He stated that the State and Federal Governments are obligated to acquire 56,000 acres of Additional Reserve Land for the MSHCP.

RCA EXECUTIVE COMMITTEE MINUTES

Page 9 of 9

September 18, 2019

- 12. FUTURE AGENDA ITEMS:** *(Committee members are invited to suggest additional items to be brought forward for future discussion.)*

Board Member Sobek requested that someone knowledgeable about the Plan meet with the Executive Committee and Board to talk about the history of the Plan.

Chairman Ingram directed staff to invite Tom Mullen to come in and speak with the Executive Committee and Board to share his knowledge and of and provide background regarding the Plan.

- 13. CLOSED SESSION ITEMS:**

- 13.1 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**
Pursuant to paragraph 1 of subdivision (d) of Government Code Section 54956.9

EHOFF II LAKESIDE, LLC, vs. Riverside County Transportation Commission; County of Riverside; and Western Riverside County Regional Conservation Authority, (Case No. 5:19-cv-01693)

- 13.2 CONFERENCE WITH LEGAL COUNSEL – INITIATION OF LITIGATION**
Significant exposure to litigation pursuant to paragraph 4 of subdivision (d) of Government Code Section 54956.9

Number of Cases: One potential case

After closed session, the meeting was reconvened. There were no announcements from closed session.

- 14. ADJOURNMENT**

There being no more items before the Executive Committee, Chairman Ingram adjourned the meeting at 1:18 p.m. The next meeting of the Western Riverside County Regional Conservation Authority Executive Committee will be held on Wednesday, October 16, 2019, at 12:00 p.m., at the Riverside Centre, 3403 Tenth Street, Suite 320, Third Floor, RCA Conference Room, Riverside, California, 92501.

Prepared by:



April Boydd
Administrative Manager

Respectfully submitted:



Honey Bernas
Deputy Executive Director