



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 12:07 p.m., Wednesday, October 16, 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

Board Member Sobek announced that she is a proud grandma for the 12th time.

Board Member Hewitt reported on the Sandalwood Fire in Calimesa. He stated that the Sandalwood Fire burned 1,100 acres and 76 structures, which is the most structures burned in Riverside County from one fire. Sadly, there are two known fatalities. He advised that he was scheduled to meet with the State Insurance Commissioner today to go over the fire damage. He stated that he helped set up the Red Cross Evacuation Center at the Mesa Grande Academy where he learned how many different agencies are involved in an emergency and all of the different things that are required for

evacuees and their pets. Board Member Ingram suggested that a policy be created so that if a trash transporter has a fire, they don't dump it.

He stated that he is perplexed that given today's technology that there is not some type of suppression system built into the containers that the drivers can turn on to put a fire out.

Board Member Hewitt stated that fires like this happen fairly often because people put batteries and other flammable things in the trash.

Board Member Sobek asked if the trash transporters drop the trash off and leave it burning.

Board Member Hewitt stated that the trash transporters are supposed to dump the trash in a safe location and call the Fire Department at the same time, but this fire happened fast. This was the third fire in District 5 that trash in the container of the truck caught on fire.

Board Member Sobek mentioned that this would have been great for CERT training. She stated that CERT stands for Community Emergency Response Team. The program trains citizens on how to handle emergency situations that could save lives.

5. ADDITIONS/REVISIONS

There were no additions or revisions to the agenda.

6. APPROVAL OF MINUTES – September 18, 2019

M/S/C (City of Menifee/County of Riverside District 5) to approve the minutes of the September 18, 2019 meeting of the Executive Committee as submitted.

(4 Ayes, 0 Nays, 0 Abstain)

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

Honey Bernas, Deputy Executive Director, reported that for the month of August 2019, the total of fee collection receipts was \$812,444.

M/S/C (County of Riverside District 5/ 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 September 2019; and**

- 2) **Authorize staff to agendize this matter for the November 4, 2019, meeting of the RCA Board of Directors.**

(4 Ayes, 0 Nays, 0 Abstain)

8. FISCAL YEAR 2019 DEVELOPMENT IMPACT FEE ANNUAL AND FIVE-YEAR REPORT

Honey Bernas, Deputy Executive Director, gave an overview of the Fiscal Year 2019 Development Impact Fee Annual and Five-Year Report required by Government Section 66006(b). RCA's beginning fund balance as of July 1, 2018, was approximately \$16.8 million. During the year, the cities and county remitted \$17.7 million in fees to the RCA. The total ending fund balance for the year was approximately \$9.6 million. The fund incurred approximately \$25.5 million in expenditures. The RCA acquired 26 properties, which were acquired using a combination of funds. There are 17 properties in progress to be acquired. There were no interfund transfers, loans, or refunds. She referred to page five of the report listing the Board approved properties for which RCA is legally committed to acquire in the future, known sources of funding, and the dates on which the funding is expected to be deposited into the account or fund.

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 receive and file the attached Fiscal Year 2019 Development Impact Fee Annual and Five-Year Report; and**
- 2) **Authorize staff to agendize this matter for the November 4, 2019, meeting of the RCA Board of Directors.**

(4 Ayes, 0 Nays, 0 Abstain)

9. FISCAL YEAR 2020 FIRST QUARTER CONSULTANT REPORTS

Charles Landry, Executive Director, reported on the activities and services provided by Dudek, Riverside County Regional Park and Open Space District, and Douglas P. Wheeler, Hogan Lovells, US LLP, during the first quarter of Fiscal Year 2020.

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

- 1) **Recommend that the RCA Board of Directors to receive and file the Fiscal Year 2020 First Quarter Consultant Reports; and**
- 2) **Authorize staff to agendize this matter for the November 4, 2019, meeting of the RCA Board of Directors.**

(4 Ayes, 0 Nays, 0 Abstain)

**10. WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY
MULTIPLE SPECIES HABITAT CONSERVATION PLAN ANNUAL REPORT 2018**

Tricia Campbell, Director of Reserve Management and Monitoring, gave an overview of the MSHCP Annual Report for 2018. She stated that in 2018 a total of 2,066 acres were acquired, donated or obtained through the local development process. At the end of 2018, RCA had acquired 60,339, and as of today, RCA has acquired a total of 61,613 acres of ARL (Additional Reserve Lands). The conservation acreage goals of the assembly show that the Federal and State Governments have a goal of 56,000 acres combined, Local goals are 97,000 acres, and to date the federal and state entities have acquired 21,571 acres combined. The State has acquired 12,397 and Federal has acquired 9,174. The State has surpassed the Federal Government acreage on land acquisitions. Local goals, which covers Permittees and RCA, require the acquisition of 97,000 acres to complete the conservation requirements. The RCA is currently at 38,768 acres, which is 40% of the total acreage required, and the State and Federal acreage is at 38% of the total required. Funding expended for the acreage by the Federal Government is approximately \$58,691,684, State is approximately \$101,085,077, and Local Permittees/RCA is at approximately \$353,242,340. She further stated that habitat losses reported by the Permittees were approximately 3,851 acres of new development that was approved by the Permittees within the MSHCP Plan Area. Approximately 2,900 acres of development occurred outside of the MSHCP Criteria Cells, and approximately 900 acres of development occurred inside the MSHCP Criteria Cells and are applied to the Rough Step calculations. The cumulative habitat losses since adoption of the Plan show that 81% of the development is occurring outside of the Criteria Cells with 19% within the cells.

Board Member Hewitt asked if all development is counted for the loss of habitat.

Tricia Campbell stated any acres that come through discretionary approvals and go through the MSHCP and pay mitigation fees, which could be rural or dirt, are counted as losses.

She continued with her presentation. She stated that the Rough Step Analysis is one of the criteria used to measure the success of the MSHCP. RCA does not look at just the acreage acquired, but the relationship between vegetation types that are being lost versus conserved and in the geographic area. The Plan Area is divided into nine (9) Rough Step units. Rough Step helps RCA track whether conservation of certain vegetation types occur roughly in-step with the development of such vegetation types. As of the end of December 2018, 3 out of 37 vegetation communities were out of Rough Step. Those occurred in Units 3 and 7 - Riversidian Alluvial Fan Sage Scrub and in Unit 8 - Grasslands. She stated that by the end of December 2018, Riparian Scrub came back into Rough Step in Unit 7. She explained that by breaking the areas up into Rough Step, it allows RCA to focus on acquiring land in the areas that have the vegetation types needed to go back into Rough Step.

RCA EXECUTIVE COMMITTEE MINUTES

Page 5 of 10

October 16, 2019

Chairman Ingram asked what Flood Control facilities are in the MSHCP linkages where RCA knows that they have land that is being utilized that has needed habitat, and why RCA couldn't use that for actual space within the Plan.

Tricia Campbell stated that some of the Flood Control land is PQP, which is counted as a type of reserve land. Then there are other Flood Control features that Flood does not want to pull into PQP so that when they do a discretionary action, RCA does not require ARL replacement. Flood Control is constantly maintaining the land and does not want any requirements placed on them in terms of vegetation types and species occupation.

Chairman Ingram stated that the land will probably never be utilized for anything other than Flood Control and asked why RCA wouldn't utilize that to their advantage by talking with them.

Charles Landry stated that RCA has met with Flood Control several times and they do not agree, but they have made a couple donations.

Tricia Campbell explained that the water permits require a Conservation Easement or MOU with the entity, and to be able to count it as part of the reserve, they have to manage the land consistently with the Plan.

Board Member Hewitt explained that if Flood Control wanted to go in later and put in a recharge basin on the land, RCA would be one more agency they would have to go through so they are giving up defensible space.

Tricia Campbell stated that they would be affecting reserve land so they would have to replace it.

Michele Ouellette stated that under CEQA, if they had a discretionary project they would have to mitigate for it regardless.

Charles Landry stated that some of the lands Flood Control holds are for the mitigation requirements.

Chairman Ingram stated that it sounds selfish. The Plan is the economic comma of Riverside County because RCA is not getting it done so to have the ability to accumulate more of that land is the objective. It seems that they want to sit on it in case they need it in the future, which makes no sense.

Board Member Jeffries stated that it doesn't give Flood Control any upside, as RCA hasn't cleared a path for them to go through the process like it has for other agencies.

Chairman Ingram asked how RCA can create incentives for Flood Control to cooperate.

RCA EXECUTIVE COMMITTEE MINUTES

Page 6 of 10

October 16, 2019

Tricia Campbell stated that Flood Control needs to hold onto something in case they need to utilize it as mitigation. California Department of Fish and Wildlife (CDFW) does not allow future mitigation. The mitigation has to be directly linked to a current project, which is a very big problem.

Chairman Ingram stated that you have agencies protecting themselves, which is an example of silos. He asked why all the agencies can't work together to benefit all and create a pathway to finish the Plan.

Tricia Campbell stated that the MSHCP is the easiest process to get something adjusted, and the CDFW is getting more difficult in their Streambed Alteration Agreement process on what they allow and don't allow. It is creating havoc.

Charles Landry stated that it's not just with the MSHCP, but if you do not have mitigation fees right now it is tough.

Chairman Ingram stated that RCA has approximately 96,000 acres to acquire to finish the Plan. This will free up approximately 700,000 developable acres that can benefit the taxpayers and citizens of Riverside County.

Board Member Jeffries asked the Board if they believe that once the Plan is finished, it will free up the developable acreage without something getting in the way.

Chairman Ingram stated that he will fight until his death to make sure the developable acreage is freed up.

Tricia Campbell stated that there will be no further reserve assembly.

Tricia Campbell continued with her presentation. She reported on the major activities for 2018. A total of 2,066 acres were acquired, which brings the total amount of Additional Reserve Lands (ARL) acquired for conservation under the Plan to approximately 60,339 acres as of 2018, and 61,613 acres to date. The RCA has identified 15,161 acres that have been designated as development exactions for future conservation through the Joint Project Review (JPR) process for development projects. RCA received 25 Joint Reviews from Permittees and one Criteria Refinement was submitted in 2018 (Vine Creek Affordable Housing) to the RCA, but none were completed in 2018.

Board Member Sobek asked if the 15,161 acres that RCA has identified for development are projects that have already submitted land maps to the cities and County.

Tricia Campbell stated that they have gone through the Permittees, cities, and county. They have their approvals for the MSHCP so they are now working on other permits in the background such as water or grading permits.

RCA EXECUTIVE COMMITTEE MINUTES

Page 7 of 10

October 16, 2019

Chairman Ingram stated that the process is arduous at best. The process involves multiple agencies.

Board Member Hewitt stated that in Calimesa two huge developments changed hands and asked if they have to go back through everything.

Tricia Campbell stated that as long as they have the same kind of project, footprint and environmental issues are the same in terms of the MSHCP, then the old JPR stands.

Tricia Campbell continued with her presentation. She stated that RCA has a staff of 10 from County Parks that does the Reserve Management of approximately 39,608 acres comprised of nearly 800 parcels. RCA Reserve Managers continue to focus on fire abatement, property protection, and security. They perform initial site inspections of every parcel potentially acquired, remove invasive, non-native species and restore natural habitats, Coordinates with other reserve managers that oversee non-RCA lands (BLM, County, CNLM, USFS), and perform long-term management of 15 Clean Water Act/Endangered Species Act properties. Habitat Enhancements in 2018 included translocating 12 owls to Reserve Lands to support project development, installation of a liner at the Shiang seasonal pool for western spadefoot, and continued enhancement of Teledyne property for Delhi Sands glower-loving fly. In 2018, the Monitoring Program had a staff of 14 biologists that conducted 40 focused surveys for covered species within the MSHCP reserve system (PQP and ARL Lands). Detected 88 of the 146 covered species. Since 2004, a total of 141 of 146 Covered Species have been detected in the Conservation Area. Monitoring for species occurs annually to every eight years, depending on the species. Completed the Southwestern Pond Turtle Study which was a telemetry study to determine upland use by the species. The study found little movement into uplands, but documented that a single male turtle moved two miles over a two-year period.

Board Member Hewitt asked for clarification on the term PQP.

Tricia Campbell explained that PQP is Public Quasi-Public Lands. There are entities that are willing to allow RCA to have an overlay of the reserve onto their lands. It is an agreement that the land is going to be managed in certain ways that is productive for the 146 species. It is usually not managed as directly for the species as the Additional Reserve Lands (ARL).

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 receive and file the Western Riverside County Regional Conservation Authority Multiple Species Habitat Conservation Plan Annual Report 2018; and
- 2) Authorize staff to agendize this matter for the November 4, 2019, meeting of the RCA Board of Directors.

(4 Ayes, 0 Nays, 0 Abstain)

11. COUNTY OF RIVERSIDE'S TENTATIVE TRACT MAP NO. 36549 CEQA RESPONSIBLE AGENCY FINDINGS, CRITERIA REFINEMENT FINDINGS, ACCEPTANCE OF THREE (3) CONSERVATION EASEMENTS, RATIFICATION OF REIMBURSEMENT AND INDEMNITY AGREEMENT

Tricia Campbell, Director of Reserve Management and Monitoring, gave an overview of the Criteria Refinement Project for Tract Map 36549 in the unincorporated area of Riverside County. She explained that a Criteria Refinement (CR) is a process by which a project applicant can formally revise what is described for conservation in an MSHCP cell(s) by providing equivalent or superior preservation at a different location. This process allows some flexibility to project proponents. In order for a Criteria Refinement to be finalized, the RCA Board must provide CEQA Findings as a responsible agency. Tentative Tract Map 36549 is in the Walker Hills Special District area that is located west of I-15 and south of the Santa Rose Plateau. This Tentative Tract Map (TTM) is one of three Tentative Tract Maps that are covered under the Criteria Refinement, but only this TTM was addressed in the CEQA document along with the Criteria Refinement. Tentative Tract Map 36549 is a 30-acre residential development in the Du Luz area. The development will be 13 estate lots, and the Criteria Refinement covers 95 estate lots. The issue that caused the need for a Criteria Refinement was Proposed Constrained Linkage 12 (PCL-12) goes through the project area. The developer needed to refine the criteria in order for his development to be viable. Linkages are lands for wildlife movement and have very specific planning species. This linkage is a constrained linkage, which means it's narrow to begin with. The Proposed Constrained Linkage 12 that went along the top of the Walker Basin Policy area was moved over to the south and scattered throughout some areas within the proposed development.

Charles Landry, Executive Director, showed the location on the projected map.

Chairman Ingram explained to the Executive Committee that the project has been in the queue for a long time. The project has gone back and forth through multiple agencies and has been a very difficult project. This project should have been done a long time ago. He stated that it's time to move the project forward and get it done.

M/S/C (County of Riverside District 1/ County of Riverside District 5) to approve this item as recommended:

M/S/C (County of Riverside District 1/ County of Riverside District 5) to withdraw Supervisor Jeffries vote.

1) Recommend that the RCA Board of Directors:

- A) Adopt Resolution No. 2019-014, Resolution of the Board of Directors of the Western Riverside County Regional Conservation Authority Considering a Mitigated Negative Declaration for Tentative Tract Map No. 36549, Making

Responsible Agency Findings Pursuant to the California Environmental Quality Act, and Accepting Findings and Making a Final Determination Regarding the Multiple Species Habitat Conservation Plan Criteria Refinement;

- B) Accept three (3) conservation easements to secure replacement land between the Western Riverside County Regional Conservation Authority and Beresford Properties, LLC;
 - C) Recommend that the RCA Board of Directors ratify the Western Riverside County Regional Conservation Authority Reimbursement and Indemnity Agreement for Criteria Refinement (CR#: 14-12-18-01; JPR#: 17-05-04-01); and
- 2) Authorize staff to agendaize this matter for the November 4, 2019, meeting of the RCA Board of Directors.

(4 Ayes, 0 Nays, 0 Abstain)

12. EXECUTIVE DIRECTOR'S REPORT

12.1 WILDLIFE REFUGE UPDATE

Charles Landry, Executive Director, reported that the bill is still moving forward and that Senator Feinstein's staff has indicated no concerns regarding the legislation, but the timing of a Senate bill is unknown.

12.2 RIVERSIDE GREEN SUMMIT 2019

Honey Bernas, Deputy Executive Director, reported that she attended the Riverside Green Summit. She stated that RCA was well represented by John Field, Tricia Campbell, and Jonathan Reinig who assembled and manned the RCA booth.

12.3 WILDFIRE MANAGEMENT

Charles Landry, Executive Director, reported that RCA staff are still looking into consultants and meeting with representatives for options on wildfire issues.

12.4 STAFFING CHANGES

Charles Landry, Executive Director, announced that he is retiring effective December 30, 2019.

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

(NO BUSINESS)

RCA EXECUTIVE COMMITTEE MINUTES

Page 10 of 10

October 16, 2019

14. CLOSED SESSION ITEMS:

(NO BUSINESS)

15. ADJOURNMENT

There being no more items before the Executive Committee, Chairman Ingram adjourned the meeting at 1:04 p.m. The next meeting of the Western Riverside County Regional Conservation Authority Executive Committee will be held on Wednesday, November 20, 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