



**EXECUTIVE COMMITTEE
MEETING AGENDA**

TIME: 12:00 p.m.

DATE: Wednesday, March 17, 2021

Pursuant to Governor Newsom's Executive Order N-29-20, (March 18, 2020), the Executive Committee meeting will only be conducted via video conferencing and by telephone.

🌀 COMMITTEE MEMBERS 🌀

Natasha Johnson, City of Lake Elsinore – Chair
Jeff Hewitt, County of Riverside, District 5 – Vice Chair
Lesla Sobek, City of Menifee
Jonathan Ingram, City of Murrieta
Kevin Bash, City of Norco
Crystal Ruiz, City of San Jacinto
Kevin Jeffries, County of Riverside, District 1

WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY

EXECUTIVE COMMITTEE MEETING AGENDA

**12:00 P.M.
WEDNESDAY, MARCH 17, 2021**

Pursuant to Governor Newsom's Executive Order N-29-20, (March 18, 2020), the Executive Committee meeting will only be conducted via video conferencing and by telephone. Please follow the instructions below to join the meeting remotely.

INSTRUCTIONS FOR ELECTRONIC PARTICIPATION

Join Zoom Meeting
<https://rctc.zoom.us/j/82458146785>

Meeting ID: 824 5814 6785
Call in: +1 669 900 6833
One tap mobile: +16699006833,,82458146785#

For members of the public wishing to submit comment in connection with the Executive Committee Meeting please email written comments to the Clerk of the Board at lmobley@rctc.org prior to March 16, 2021 at 5:00 p.m. and your comments will be made part of the official record of the proceedings. Members of the public may also make public comments through their telephone or Zoom connection when recognized by the Chair.

In compliance with the Brown Act and Government Code Section 54957.5, agenda materials distributed 72 hours prior to the meeting, which are public records relating to open session agenda items, will be available for inspection by members of the public prior to the meeting on the RCA's website, www.wrc-rca.org.

In compliance with the Americans with Disabilities Act, Government Code Section 54954.2, Executive Order N-29-20, and the Federal Transit Administration Title VI, please contact the Clerk of the Board at (951) 787-7141 if special assistance is needed to participate in a Committee meeting, including accessibility and translation services. Assistance is provided free of charge. Notification of at least 48 hours prior to the meeting time will assist staff in assuring reasonable arrangements can be made to provide assistance at the meeting.

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PLEDGE OF ALLEGIANCE**

4. **PUBLIC COMMENTS** - *Under the Brown Act, the Board should not take action on or discuss matters raised during public comment portion of the agenda which are not listed on the agenda. Board members may refer such matters to staff for factual information or to be placed on the subsequent agenda for consideration. Each individual speaker is limited to speak three (3) continuous minutes or less.*

5. **ADDITIONS/REVISIONS** – *The Committee may add an item to the Agenda after making a finding that there is a need to take immediate action on the item and that the item came to the attention of the Committee subsequent to the posting of the agenda. An action adding an item to the agenda requires 2/3 vote of the Committee. If there are less than 2/3 of the Committee members present, adding an item to the agenda requires a unanimous vote. Added items will be placed for discussion at the end of the agenda.*

6. **CONSENT CALENDAR** - *All matters on the Consent Calendar will be approved in a single motion unless a Commissioner(s) requests separate action on specific item(s). Items pulled from the Consent Calendar will be placed for discussion at the end of the agenda.*

6A. APPROVAL OF MINUTES – FEBRUARY 17, 2021

Page 1

6B. WESTERN RIVERSIDE COUNTY MULTIPLE SPECIES HABITAT CONSERVATION PLAN FEE COLLECTION REPORT

Page 8

Overview

This item is for the Committee to:

- 1) Receive and file the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Fee Collection Report for February 2021; and
- 2) Forward to the Board of Directors for final action.

7. UPDATE ON STATE AND FEDERAL GRANTS FOR RESERVE ACQUISITION

Page 10

Overview

- 1) Receive and file an update on state and federal grants for reserve acquisition; and
- 2) Forward to the Board of Directors for final action.

8. LEGISLATIVE UPDATE

Page 12

Overview

This item is for the Committee to:

- 1) Receive and file an update on state and federal legislation;
- 2) Adopt the following bill positions:
 - a. HR 972 (Calvert) – Support; and
- 3) Forward to the Board of Directors for final action.

9. BOARD OF DIRECTORS / EXECUTIVE DIRECTOR REPORTS

Overview

This item provides the opportunity for the Board of Directors and the executive director to report on attended meetings/conferences and any other items related to RCA activities.

10. ADJOURNMENT

The next Executive Committee meeting is scheduled to be held at **12:00 p.m., April 21, 2021**, via Zoom.

AGENDA ITEM 6A

MINUTES

WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY

EXECUTIVE COMMITTEE

Wednesday, February 17, 2021

MINUTES

1. CALL TO ORDER

The meeting of the Executive Committee was called to order by Chair Natasha Johnson at 12:02 p.m. via Zoom Meeting ID: 876 9775 4887, pursuant to Governor Newsom’s Executive Order N-29-20.

2. ROLL CALL

Members/Alternates Present

Jeff Hewitt
Kevin Jeffries*
Kevin Bash
Natasha Johnson
Lesa Sobek
Jonathan Ingram
Crystal Ruiz

Members Absent

**arrived after the meeting was called to order*

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Board Member Bash.

4. PUBLIC COMMENTS

There were no comments from the public.

5. ADDITIONS/REVISIONS

There were no additions or revisions to the agenda.

- 6. CONSENT CALENDAR** - *All matters on the Consent Calendar will be approved in a single motion unless a Commissioner(s) requests separate action on specific item(s). Items pulled from the Consent Calendar will be placed for discussion at the end of the agenda.*

Board Member Sobek requested Agenda Item 6C be pulled from the Consent Calendar for further discussion.

M/S/C (Hewitt/Sobek) to approve the following Consent Calendar items with the exception of Item 6C, which was pulled for further discussion:

6A. APPROVAL OF MINUTES – JANUARY 20, 2021

6B. WESTERN RIVERSIDE COUNTY MULTIPLE SPECIES HABITAT CONSERVATION PLAN FEE COLLECTION REPORTS

- 1) Receive and file the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Fee Collection Reports for January 2021;
- 2) Forward to the Board of Directors for final action.

6C. FISCAL YEAR 2020/21 SECOND QUARTER FINANCIAL REPORT

Board Member Sobek stated she noticed the report had changed and asked Jennifer Fuller, Financial Administration Manager, to provide an overview of the changes. Ms. Fuller stated the report has been slightly refreshed and still contains the cash balance summary followed by an overview of the budget to actual and the fiscal year end projections. Board Member Sobek asked specifically about a red-line item on page 23 of the staff report and Ms. Fuller explained why the item is showing as a deficit.

M/S/C (Sobek/Ingram) to:

- 1) **Receive and file the FY 2020/21 Second Quarter Financial Report;**
- 2) **Approve the budget adjustment to increase expenditures \$74,539 for consultant services;**
- 3) **Authorize the Chair to direct the Auditor-Controller to make the budget adjustment in the amount of \$74,539; and**
- 4) **Forward to the Board of Directors for final action.**

6D. ADOPTION OF ORDINANCE NO. 21-01 RELATED TO PROCUREMENT POLICY MANUAL

- 1) Approve the revised Riverside County Transportation Commission (RCTC) and Western Riverside County Regional Conservation Agency (RCA) Procurement Policy Manual (PPM) for the procurement and contracting activities undertaken by the agencies, pursuant to legal counsel review as to conformance to state and federal law;
- 2) Adopt Ordinance No. 21-01, "*Ordinance of the Western Riverside County Regional Conservation Agency Regarding the Revised Procurement Policy Manual*"; and
- 3) Forward to the Board of Directors for final action.

6E. ADOPTION OF RESOLUTION NO. 2021-006 TO AMEND BYLAWS WITH REGARD TO THE EXECUTIVE DIRECTOR'S PURCHASING AUTHORITY AND OTHER ADMINISTRATIVE CHANGES

- 1) Following the completion of the four-week noticing period required in Article XIII(B) of the Western Riverside County Regional Conservation Authority (RCA) Bylaws, approve the proposed amendments to the RCA Bylaws;
- 2) Adopt Resolution No. 2021-003, "*Resolution of the Board of Directors of the Western Riverside County Regional Conservation Authority Authorizing the Acceptance of Credit Cards, Debit Cards, and Electronic Funds Transfer as Additional Methods of Payment and Collection of Payment Processing Fees*"; and
- 3) Forward to the Board of Directors for final action.

7. 2021 STATE AND FEDERAL PLATFORM AND LEGISLATIVE UPDATE

Lisa Mobley, Administrative Services Manager/Clerk of the Board, noted correspondence had been received in support of this item from Mr. Dan Silver, who was also present at the meeting. The correspondence was forwarded to all Executive Committee members.

Mr. Silver, Executive Director of the Endangered Habitats League, addressed the Executive Committee to express his support for this item.

David Knudsen, Legislative Affairs Manager, provided an overview of the Legislative Affairs program, a State and Federal legislative update, and the proposed 2021 State and Federal legislative platform.

Vice Chair Hewitt expressed his appreciation for the presentation and noted it will be a lot of work moving forward.

Board Member Ingram expressed his appreciation for the presentation and for the platform.

Board Member Sobek thanked Mr. Knudsen for the presentation and for the inclusion of a quote from the Chair in the press release regarding HR 972. She looks forward to bringing back funds for the program.

Board Member Bash stated he is excited for the platform and was happy to see the coordination between Congressmen Takano and Calvert.

M/S/C (Ruiz/Ingram) to:

- 1) Receive a presentation summarizing the RCTC Legislative Affairs program;**
- 2) Receive and file an update on state and federal legislation;**
- 3) Adopt the 2021 State and Federal Legislative Platform for Western Riverside County Regional Conservation Authority (RCA); and**
- 4) Forward to the Board of Directors for final action.**

8. PROPOSAL FOR CREATION OF AN RCA LEGACY HOME REBATE PROGRAM

Ms. Mobley noted correspondence was received in opposition of this item from Mr. Dan Silver who is present at the meeting.

Mr. Silver, Executive Director of the Endangered Habitats League, stated they respectfully oppose this item, noting there is no public interest in waiving fees during a time of overall revenue shortfall.

Aaron Hake, Interim Regional Conservation Deputy Executive Director, presented an overview of a proposed Legacy Home Rebate Program, which would be a pilot program administered by the RCA with a budget cap and a sunset date to help mitigate the potential financial risks and also provide an opportunity for the Board and staff to reevaluate the performance of the program for any potential changes that may be needed. Mr. Hake detailed proposed eligibility for the rebate as well as potential upsides and downsides of a rebate program.

Board Member Ingram expressed support for the rebate program, noting the pilot method and the sunset were great ideas. He made the motion to recommend adoption of the rebate program.

Chair Johnson asked for clarity regarding the budget cap of 50 rebates until 2023. Mr. Hake explained the soonest someone could apply for the rebate would be one year from July 1 so beginning in Fiscal Year 2023 is when RCA would potentially see a fiscal impact. Therefore, the money should be set aside in the budget beginning in 2023 and

with the sunset date of June 30, 2025, that would give the Board two full fiscal years of data to evaluate the program.

Board Member Sobek noted the program seems complicated and noted some may take advantage of the program, questioning whether the program is helping the plan.

Chair Johnson stated the pilot program is an opportunity to test the waters and see how it goes and shows an evolving of RCA in providing options and a fair and equitable process.

Vice Chair Hewitt stated at first, he was opposed to this however, given the nature of it being a two-year pilot program the RCA will be able to see and evaluate the impact to the plan.

Board Member Ruiz expressed support for the rebate program.

Board Member Bash expressed support for the program, noting it is a pilot program that can be changed in the future.

Board Member Sobek asked for clarification regarding the concept outline and the fees being paid. Mr. Hake clarified the outline and noted the fees will be paid up-front and the rebate may be applied for, given the applicant meets the eligibility criteria. She seconded the motion made by Board Member Ingram.

At this time, Board Member Jeffries joined the meeting.

Board Member Jeffries noted he had reviewed the proposal and he is in support of it moving forward.

M/S/C (Ingram/Sobek) to:

- 1) Recommend to the Board of Directors to adopt an RCA Legacy Home Rebate Program; and**
- 2) Forward to the Board of Directors for final action.**

9. NEXUS STUDY UPDATE

Aaron Hake provided an overview of activities that have happened since the Nexus Study was adopted by the Board. He discussed communication that had been done with member agencies and the business community, and what staff has been hearing from member agencies and stakeholders. He provided an update on member agency actions, resources available to member agency staff and stakeholders, and staff's next steps.

Board Member Sobek noted a discussion between Mr. Ellis of the Murrieta/Wildomar Chamber of Commerce and asked Mr. Hake to provide an update on that conversation.

Mr. Hake stated it was a productive meeting where Mr. Ellis expressed his concerns with the communication on the fee increase and the desire to do everything possible to facilitate the development of a greater base of commercial and industrial jobs in Southwest County, noting projects that were of particular concern.

Chair Johnson noted she also attended the meeting with Mr. Ellis, stating he was bringing concerns he had heard from others to the table for discussion. She stated the predominant message of the meeting was communication was not happening the way he had liked and now that has been identified as a blind spot staff is focusing on communicating as much as possible.

Board Member Sobek asked if the Board should look at and discuss a lengthier phase-in of the new Nexus Study fees. She stated in the future the Board should look at a Nexus Study every four or five years and in doing so perhaps a sub-committee of City Managers should be involved at least once during the process.

Board Member Ingram stated staff would have to look and see what projects are in the queue to determine impacts of a longer phase-in period as the increased fee is not applicable until June. He noted this is why he suggested creating a portal for payment, so people had the opportunity to pay and then to look at modifying the verbiage in the plan itself that stated you pay your fees at issuance of permit. He stated this payment portal would create the ability for staff to monitor what is coming in rather than going through a third party and would also save money on the auditing process.

Chair Johnson stated they do not want to be taking away from jobs or development, they are here to help where they can when they can. While the RCA may not be able to meet all the needs the one thing the RCA can give developers is certainty in the process, noting the phasing approach puts the RCA behind.

Board Member Ingram stated an update on the Nexus Study and fee implementation should be sent to all member agencies and Board members.

9. COMMITTEE MEMBER / EXECUTIVE DIRECTOR REPORT

Anne Mayer, Executive Director, announced in March they will be meeting with the City Managers as a group regarding the Nexus Study, the rebate program, and the legislative platform.

Board Member Ingram discussed the property surrounding Greer Ranch between Murrieta and Menifee now has people building jumps and berms for mountain biking and it is attracting 4,000 to 5,000 in a week to two-week period. He stated there are protected species and Coastal Sage that is being eradicated to build tracks and the RCA does not want to take the land on and be responsible for getting it back to the state it needs to be in. Board Member Ingram stated they are going to have to create a coalition

between the mountain biking community and the RCA to figure out how they can utilize and access the land without destroying it.

Chair Johnson stated she has forwarded the information to staff and thanked Board Member Ingram for bringing it to the attention of the Executive Committee, noting it was something that will continue to be discussed.

10. ADJOURNMENT

There being no further business for consideration by the Executive Committee, the meeting was adjourned at 1:23 p.m.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Lisa", with a long horizontal flourish extending to the right.

Lisa Mobley
Clerk of the Board

AGENDA ITEM 6B

WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY

DATE:	March 17, 2021
TO:	Executive Committee
FROM:	Jennifer Fuller, Financial Administration Manager
THROUGH:	Theresa Trevino, Chief Financial Officer
SUBJECT:	Western Riverside County Multiple Species Habitat Conservation Plan Fee Collection Report

STAFF RECOMMENDATION:

This item is for the Committee to:

- 1) Receive and file the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Fee Collection Report for February 2021; and
- 2) Forward to the Board of Directors for final action.

BACKGROUND INFORMATION:

The Western Riverside County MSHCP Local Development Mitigation Fee (LDMF) collections provide funding for the acquisition of additional reserve lands and related costs. RCA budgeted \$10.5 million in LDMF collections for FY 2020/21. Attached is the Collection and Civic/Infrastructure Contribution LDMF report for February 2021.

FISCAL IMPACT:

There is no fiscal impact to the receipt and file of this fee collection report.

Attachment: Western Riverside County MSHCP LDMF Collection and Civic/Infrastructure Contribution Report for February 2021

**WESTERN RIVERSIDE COUNTY MSHCP LDMF COLLECTION AND CIVIC/INFRASTRUCTURE
CONTRIBUTION REPORT FOR FEBRUARY 2021**

LOCAL DEVELOPMENT MITIGATION FEE COLLECTIONS							
City/County	Month	REMITTED				EXEMPTIONS & FEE CREDITS	
		Residential Permits	Commercial Industrial Acres	Amount Remitted	Total FY Year-to-Date	Residential Permits	Amount
City of Banning	November January-No Activity	2		\$4,468	\$8,936		
City of Beaumont	January-No Activity			\$0	\$355,445		
City of Calimesa	January-Pending			\$0	\$404,354		
City of Canyon Lake	January	1		\$2,234	\$13,404		
City of Corona	December January-Rcvd March	10		\$22,340	\$134,569		
City of Eastvale	January		30.07	\$228,712	\$328,683		
City of Hemet	January	8		\$18,070	\$190,203		
City of Jurupa Valley	January	57	6.90	\$179,819	\$1,085,302		
City of Lake Elsinore	January			\$66	\$167,420		
City of Menifee	January	118		\$252,356	\$1,479,993		
City of Moreno Valley	January	44	8.67	\$164,270	\$664,392		
City of Murrieta	December-No Activity January-No Activity			\$0 \$0	\$69,370		
City of Norco	January-No Activity			\$0	\$0		
City of Perris	December January	29 22	56.09 1.66	\$491,407 \$61,510	\$1,058,446		
City of Riverside	Oct/Nov/Dec-Rcvd March January-No Activity			\$0 \$0	\$134,506		
City of San Jacinto	January	36		\$80,426	\$321,359		
City of Temecula	December January-Pending Roripaugh DA ¹	4		\$6,056 \$0	\$455,456	36	\$80,424
City of Wildomar	December January-No Activity	8		\$17,872	\$89,360		
County of Riverside	February	156	2.13	\$364,705	\$3,589,279		
	Total LDMF Collections	495	105.52	\$1,894,312	\$10,550,477	36	\$ 80,424

CIVIC AND INFRASTRUCTURE CONTRIBUTIONS		
Hamner Ave Bridge Project - RivCo Transportation Dept		\$280,967
Total Civic/Infrastructure Contributions		\$280,967

TOTAL FEBRUARY 2021 \$2,175,279

¹ Roripaugh Development Agreement dated 12/17/02. Project is exempt under Assessment District 161.

AGENDA ITEM 7

WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY

DATE:	March 17, 2021
TO:	Executive Committee
FROM:	Aaron Hake, Interim Regional Conservation Deputy Executive Director
THROUGH:	Anne Mayer, Executive Director
SUBJECT:	Update on State and Federal Grants for Reserve Acquisition

STAFF RECOMMENDATION:

This item is for the Committee to:

- 1) Receive and file an update on state and federal grants for reserve acquisition; and
- 2) Forward to the Board of Directors for final action.

BACKGROUND INFORMATION:

RCA actively applies for state and federal funds to acquire Additional Reserve Lands (ARL) as part of its responsibilities under the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). These grants come with specific requirements, approval processes, and timelines. Success requires coordination with state and federal agencies, property owners, appraisers, and all functions within RCA.

RCA is currently focused on expending three grants:

Grant	Amount	Awarding Agency	Expiration
FY 2017 Endangered Species Act Non-Traditional Section 6 Grant Program	\$2 million	U.S. Fish and Wildlife Service	5/30/2021 +6 month extension
FY 2019 Endangered Species Act Non-Traditional Section 6 Grant Program	\$10 million	U.S. Fish and Wildlife Service	5/30/2021
Jurupa Mountains Conservation	\$14.7 million	California Natural Resources Agency	3/1/2022

Each of the three grants is a simultaneous opportunity and challenge. RCA staff has prioritized successful completion of each grant before the expiration date. Such organizational priority is warranted because performance on current grants will impact RCA's competitiveness for future funding and credibility with stakeholders in Washington, Sacramento, and locally. With a substantial amount of ARL remaining to be assembled, RCA must be diligent in getting every dollar possible into reserve acquisition.

Respecting that some details of these grants involve real property negotiations that are the subject of previous and future Closed Session items for the RCA Board, the general status of the three grants is as follows:

Federal Section 6 Grants

RCA staff has identified a path to expend most of the funding from the two outstanding federal Section 6 grants. The successful strategy involves a short-term deadline extension by U.S. Fish and Wildlife Service (USFWS) on the FY 2017 grant and a partnership with The Nature Conservancy. The FY 2019 Section 6 grant will leave a balance of \$760,000 of the federal portion of the grant, pending confirmation that the final property for that grant will be scheduled for the May meeting of the California Wildlife Conservation Board (WCB) and pending the WCB's affirmative vote.

With nearly all federal grant funds spoken for and moving toward final approvals, staff is pivoting to preparing for the next round of Section 6 funding, which the USFWS is likely to announce later in 2021.

Jurupa Mountains Conservation

The Jurupa Mountains Conservation grant faces several challenges to expending all the funds by the March 1, 2022 deadline, all of which are outside of RCA's control. On the current course, it is highly unlikely that all \$14.7 million will be expended by March 1, 2022. Staff is pursuing every option available to acquire as many acres as possible within the structure of the grant. Additionally, staff is in active discussion with State Assembly Member Sabrina Cervantes, who secured the funds in the FY 2019/20 State Budget, about options to preserve the grant funding for habitat acquisition for the MSHCP if all funds cannot be used to conserve the Jurupa Mountains. Staff will keep the Board apprised of the status of this grant.

One of the priorities of the RCA Board of Directors in approving the management consolidation with RCTC was RCTC's experience with pursuing and managing state and federal grants as well as property acquisition. RCTC is building upon the work of the prior administration of RCA in developing strategies to retain and secure as much funding as possible to fulfill the objectives of the MSHCP. This report is intended to provide an update on our progress in this arena.

FISCAL IMPACT:

The fiscal impact of these grant funds have already been accounted for in the adopted RCA FY 2021 Budget.

AGENDA ITEM 8

WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY

DATE:	March 17, 2021
TO:	Executive Committee
FROM:	David Knudsen, Legislative Affairs Manager
THROUGH:	Aaron Hake, Interim Regional Conservation Deputy Executive Director
SUBJECT:	Legislative Update

STAFF RECOMMENDATION:

This item is for the Committee to:

- 1) Receive and file an update on state and federal legislation;
- 2) Adopt the following bill positions:
 - a) HR 972 (Calvert) – Support; and
- 3) Forward to the Board of Directors for final action.

BACKGROUND INFORMATION:

State Update

Governor Newsom’s Golden State Stimulus

Governor Gavin Newsom signed a \$7.6 billion coronavirus relief package on February 23, 2021, that will give at least \$600 one-time payments to 5.7 million people while setting aside more than \$2 billion in grants for small businesses. This COVID-19 relief package is based on the Governor's initiatives outlined in his January state budget proposal to the Legislature, including relief to lower-income Californians and increased aid to small businesses. The Legislature is expected to continue passing COVID-19 relief legislation throughout the spring, particularly aimed at assisting struggling businesses.

Proposed Wildfire Prevention and Climate Resiliency Bond

Senator Anthony Portantino and Assemblymember Eduardo Garcia have each introduced their own legislation, SB 45 and AB 1500 respectively, to place a wildfire prevention and climate resiliency bond on the ballot in November 2022. SB 45 calls for \$600 million to be allocated to the Wildlife Conservation Board (WCB), whereas AB 1500 calls for \$400 million to be allocated to the WCB. Habitat Conservation Plans (HCP) would be one of several programs that would qualify for this competitive funding to be administered by the WCB. Legislative Affairs staff are coordinating with other members of the California Habitat Conservation Plan Coalition (CHCPC) to advocate for \$100 million to be carved out in the proposed bonds specifically for HCPs.

This would better position RCA to compete for funding, should the bond be adopted by the voters in the future. Legislative Affairs staff are coordinating with CHCPC to schedule meetings with the region's legislative delegation to discuss the proposal.

Federal Update

Western Riverside County Wildlife Refuge

On February 12, 2021, Representative Ken Calvert introduced H.R. 972, a bill to establish the Western Riverside County Wildlife Refuge. With Representative Mark Takano as an original cosponsor of the bill, this bipartisan legislation creates the federal government's framework to meet its obligations under the Multiple Species Habitat Conservation Plan (MSHCP) Implementing agreement.

This legislation would:

- Establish the boundary for a new wildlife refuge;
- Allow for the immediate inclusion of non-federal conservation lands that have already been acquired to meet the terms of the MSHCP;
- Provide certainty for development of the transportation infrastructure required to meet the future needs of southern California;
- Create new public access and enhance recreation for the entire region; and
- Create a mechanism for federal agencies to inventory lands within the Refuge established by this legislation to determine their suitability for inclusion.

The federal government was a principal partner in establishing the MSHCP and agreed to acquire one-sixth of the Plan's wildlife reserve acres. A wildlife refuge in western Riverside County will enhance RCA's partnership with the federal government to meet the land acquisition goals and fulfill the shared vision of aligning environmental conservation, infrastructure, and economic growth. By establishing this Refuge, H.R. 972 will enable the U.S. Fish and Wildlife Service to fulfill its obligation as a partner in the MSHCP.

Supporting this legislation is in alignment with the adopted 2021 State and Federal Legislative Platform, including:

Alignment of Responsibilities

- Support efforts by the state and federal governments to meet their land conservation requirements, as initially intended by the MSHCP (one-third of the Additional Reserve Lands, respectively).
- Support establishment of the Western Riverside County National Wildlife Refuge.

Staff is recommending the RCA adopt a support position on H.R. 972.

Endangered Species Act (ESA) Non-Traditional Section 6 Grant Program

On February 22, 2021, Executive Director Anne Mayer sent a letter to the U.S. Department of the Interior (DOI) Secretary-designate Representative Deb Haaland to introduce the Western Riverside Regional Conservation Authority (RCA), detail the goals of the MSHCP, and provide recommendations on the administration of the Non-Traditional Section 6 Grants.

Several years ago, the DOI imposed new requirements to apply for Non-Traditional Section 6 Grants, including calling for mandatory “willing seller” letters from property owners and reducing the number of properties that may be acquired with allocated funds. Unfortunately, these restrictions have constrained the RCA’s ability to spend Section 6 grant awards in a timely manner and could result in the return of unspent award funds, defeating the objectives of the program and missions of the Department and the RCA.

To help achieve the goals of the MSHCP, the Department, and the intent behind the Section 6 program, staff proposed the following:

- Eliminate premature willing seller letter requirements;
- Expand parcel list to give more flexibility; and
- Timely announcement of grant awards.

These recommendations and commonsense reforms would reverse the unnecessary delays for the acquisition of threatened habitat and would restore a semblance of marketplace dynamics to the purchase price negotiation process. DOI staff have acknowledged receipt of the letter and look forward to meeting with RCA. Staff will follow up with the DOI and will report to the Board with any updates, as necessary.

COVID-19 Relief

Congress continues to move forward with President Biden's \$1.9 trillion coronavirus relief package, the American Rescue Plan (Plan). As previously reported, this package's priorities include aid to state and local governments, direct payments to individuals, expanded unemployment benefits, funding for vaccine distribution, rental relief, and small business assistance. The Plan also calls for a federal COVID-19 worker protection standard, funding to enforce this new standard, and hazard pay for essential workers, including retroactive hazard pay for work done since the initial outbreak of the COVID-19 pandemic. The House passed its version of the bill on February 27, 2021, and the Senate is expected to act thereafter.

Attachment: Letter - U.S. Department of the Interior Non-Traditional Section 6 Grants



4080 Lemon St. 3rd Fl. Riverside, CA 92502
Mailing Address: P.O. Box 12008 Riverside, CA 92502-2208
951.787.7141 • wrc-rca.org

February 22, 2021

The Honorable Deb Haaland
Secretary-designate
U.S. Department of the Interior
1849 C Street NW
Washington, DC 20240

Dear Secretary-designate Haaland:

Congratulations on your nomination as Secretary of the U.S. Department of the Interior (DOI). I look forward to a partnership with you that will lead to the successful completion of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP or Plan), a comprehensive, multi-jurisdictional Habitat Conservation Plan (HCP) that mandates conservation of at-risk species and their associated habitats in southern California.

Established in 2004 with the partnership of the DOI, the Plan encompasses approximately 1.26 million acres (1,966 square miles) and calls for establishing a reserve system consisting of 500,000 acres of protected habitat. It is implemented by a local joint powers authority called the Western Riverside County Regional Conservation Authority (RCA) and 25 other Permittees, including the California Department of Transportation, County of Riverside, 18 cities within the region, and the Riverside County Transportation Commission, which recently became the managing agency for the RCA.

The MSHCP is a 75-year plan to protect 146 species (33 of which are listed as endangered or threatened) while expediting infrastructure projects, particularly transportation facilities, as well as commercial and residential development to support population and economic growth in western Riverside County – the tenth largest county in the nation and growing. To date, the reserve includes more than 400,000 acres. The federal government has been a critical partner in implementing the MSHCP. The MSHCP’s chartering MOU specifies that the federal and state governments are each responsible for acquiring one-sixth of the land, and the RCA is to acquire the remaining two-thirds. A significant part of our success has been funding from the federal Endangered Species Act (ESA) Non-Traditional Section 6 Grant Program. These grants specifically support HCP land acquisition, and the RCA is grateful to have received Section 6 support to help fulfill the requirements of the MSHCP.

Several years ago, new requirements were imposed to apply for Non-Traditional Section 6 Grants, including calling for mandatory “willing seller” letters from property owners and reducing the number of properties which may be acquired with allocated funds. Unfortunately, these restrictions have constrained the RCA’s ability to timely spend Section 6 grant awards and could result in the return of unspent award funds, defeating the objectives of the program and missions of the Department and the RCA. We know we are not the only HCP that shares this experience.

To help achieve the goals of the MSHCP, the Department, and the intent behind the Section 6 program, we propose the following:

- **Eliminate premature willing seller letter requirements.** Property owners are understandably wary of making this commitment given uncertainties of price and funding during early stages of negotiation. Willing seller letters can be provided in the post-award process once more certainty can be provided to a seller concerning funding amount, timing, and additional terms of a given transaction. Moreover, it is already Agency policy to acquire real property only from willing sellers.
- **Expand parcel list to give more flexibility.** A limited parcel list makes it nearly impossible to use all of the Non-Traditional Section 6 funds provided within the limited time period of grant availability. We propose that all parcels within the designated boundaries of an HCP that meet the conservation objectives of the Plan should be considered eligible for purchase during any given grant cycle. This provides sellers with price agreement certainty.
- **Timely announcement of grant awards.** The acquisition process is severely constrained by the Department's recent delay in announcing grant awards, even after funds have been appropriated. A lag of two years or longer in the availability of funds makes it practically impossible to plan for prospective acquisition projects, and to negotiate with sellers for closing within a time certain.

These recommendations and commonsense reforms reverse the unnecessary encumbrance of the timely acquisition of threatened habitat and would restore a semblance of marketplace dynamics to the purchase-price negotiation process.

The RCA is grateful for the ongoing support afforded us by the Department of the Interior, United States Fish and Wildlife Service, and California Department of Fish and Wildlife. Together we have accomplished a great deal over the past 16 years. We hope to return to a proven and successful habitat acquisition process by implementing these proposed changes to the ESA Non-Traditional Section 6 Grant requirements.

We welcome the opportunity to meet with you, your staff, and Mr. Gary Frazer, the Assistant Director for Endangered Species at USFWS to discuss these issues. Thank you for your consideration of our request. Should you have any questions, please call me at (951) 787-7141. I look forward to partnering with you and your staff as a representative of RCA and as a member of state and national HCP coalitions.

Sincerely,



Anne Mayer
Executive Director