



MEETING AGENDA

TIME/DATE: 12:30 p.m. / Monday, July 12, 2021

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

BOARD OF DIRECTORS

Chair – Natasha Johnson

Vice Chair – Jeff Hewitt

Kevin Jeffries, County of Riverside, District 1
Karen Spiegel, County of Riverside, District 2
Chuck Washington, County of Riverside, District 3
V. Manuel Perez, County of Riverside, District 4
Jeff Hewitt, County of Riverside, District 5
Colleen Wallace / David Happe, City of Banning
Julio Martinez / Mike Lara, City of Beaumont
Jeff Cervantez / Bill Davis, City of Calimesa
Larry Greene / Jeremy Smith, City of Canyon Lake
Tony Daddario / Wes Speake, City of Corona
Jocelyn Yow / Todd Rigby, City of Eastvale
Linda Krupa / To Be Appointed, City of Hemet
Lorena Barajas / Leslie Altamirano, City of Jurupa Valley
Natasha Johnson / Bob Magee, City of Lake Elsinore
Lesa Sobek / Bob Karwin, City of Meniffee
David Marquez / To Be Appointed, City of Moreno Valley
Jonathan Ingram / Christi White, City of Murrieta
Kevin Bash / Katherine Aleman, City of Norco
David Starr Rabb / Malcolm Corona, City of Perris
Erin Edwards / Patricia Lock Dawson, City of Riverside
Crystal Ruiz / Phil Ayala, City of San Jacinto
Maryann Edwards / Zak Schwank, City of Temecula
Ben J. Benoit / Joseph Morabito, City of Wildomar

WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY

www.wrc-rca.org

MEETING AGENDA*

***Actions may be taken on any item listed on the agenda**

12:30 p.m.

Monday, July 12, 2021

Pursuant to Governor Newsom's Executive Order N-29-20, (March 18, 2020), the Board 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/85172882184>

Call in: +1 669 900 6833

Meeting ID: 851 7288 2184

One tap mobile: +16699006833,,85172882184#

For members of the public wishing to submit comment in connection with the Board of Directors Meeting please email written comments to the Clerk of the Board at lmobley@rctc.org prior to July 11, 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 Board 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 that are not listed on the agenda. The Board members may refer such matters to staff for factual information or to be placed on the subsequent agenda for consideration.*

5. ADDITIONS / REVISIONS – *The Board 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 Board subsequent to the posting of the agenda. An action adding an item to the agenda requires 2/3 vote of the Board. If there are less than 2/3 of the Board 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. CLOSED SESSION

6A. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8

Agency Negotiator: Executive Director or Designee

Item	Property Description	Property Owner	Buyer(s)
1	470-080-016	Dennis Munyon	RCA

6B. CONFERENCE WITH LEGAL COUNSEL: EXISTING LITIGATION

Pursuant to Government Code Section 54956.9(d)(1)

Case No. RIC1901547

6C. REPORT OUT FROM CLOSED SESSION

7. CONSENT CALENDAR – *All matters on the Consent Calendar will be approved in a single motion unless a Board Member(s) requests separate action on specific item(s).*

7A. APPROVAL OF MINUTES – JUNE 7, 2021

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7B. WESTERN RIVERSIDE COUNTY MULTIPLE SPECIES HABITAT CONSERVATION PLAN FEE COLLECTION REPORT FOR MAY 2021

Page 6

Overview

This item is for the Board of Directors to receive and file the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Fee Collection Report for May 2021.

7C. UPDATE TO ADOPTED RESOLUTION NOS. 2021-008, 2021-009, 2021-010, 2021-011, AND 2021-012 AUTHORIZING THE ACCEPTANCE OF GRANT FUNDS FOR ACQUISITION OF REAL PROPERTY

Page 8

Overview

This item is for the Board of Directors to:

- 1) Adopt Resolution No. 2021-008, *“Resolution of the Board of Directors of the Western Riverside County Regional Conservation Authority Authorizing Entering into Grant Agreements with the Wildlife Conservation Board and Authorizing the Acquisition of All or a Portion of Assessor Parcel Number 932-160-026 Totaling Approximately 20.37 Acres in the County of Riverside”*;
- 2) Adopt Resolution No 2021-009, *“Resolution of the Board of Directors of the Western Riverside County Regional Conservation Authority Authorizing Entering into Grant Agreements with the Wildlife Conservation Board and Authorizing the Acquisition of All or a Portion of Assessor Parcel Number’s 932-180-014, 932-180-015 and 032-200-024 Totaling Approximately 56.92 Acres in the County of Riverside”*;
- 3) Adopt Resolution No. 2021-010, *“Resolution of the Board of Directors of the Western Riverside County Regional Conservation Authority Authorizing Entering into Grant Agreements with the Wildlife Conservation Board and Authorizing the Acquisition of All or a Portion of Assessor Parcel Number 932-170-016 Totaling Approximately 19.90 Acres in the County of Riverside”*;
- 4) Adopt Resolution No. 2021-011, *“Resolution of the Board of Directors of the Western Riverside County Regional Conservation Authority Authorizing Entering into Grant Agreements with the Wildlife Conservation Board and Authorizing the Acquisition of All or a Portion of Assessor Parcel Numbers 932-270-005 and 932-270-006 Totaling Approximately 51.76 Acres in the County of Riverside”*; and
- 5) Adopt Resolution No. 2021-012, *“Resolution of the Board of Directors of the Western Riverside County Regional Conservation Authority Authorizing Entering into Grant Agreements with the Wildlife Conservation Board and Authorizing the Acquisition of All or a Portion of Assessor Parcel Number 932-170-019 Totaling Approximately 20.18 Acres in the County of Riverside”*.

8. LEGISLATIVE UPDATE

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Overview

This item is for the Board of Directors to receive and file an update on state and federal legislation.

9. PRESENTATION - GETTING TO KNOW THE MSHCP

10. BOARD OF DIRECTORS / EXECUTIVE DIRECTOR REPORT

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 Board activities.

- Nexus Study Implementation Update

11. ADJOURNMENT

The next meeting of the Board of Directors is scheduled to be held on **Monday, September 13, 2021**, Board Room, First Floor, County Administrative Center, 4080 Lemon Street, Riverside.

AGENDA ITEM 7A

MINUTES

WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY

BOARD OF DIRECTORS MEETING MINUTES

Monday, June 7, 2021

1. CALL TO ORDER

The Western Riverside County Regional Conservation Authority Board of Directors Meeting was called to order by Chair Natasha Johnson at 12:30 p.m., via Zoom Meeting ID 896 3266 5692, pursuant to Governor Newsom’s Executive Order N-29-20.

2. ROLL CALL

Board of Directors/Alternates Present

Kevin Jeffries
Karen Spiegel*
Jeff Hewitt
Colleen Wallace
Julio Martinez
Jeff Cervantez
Larry Greene
Tony Daddario
Jocelyn Yow
Linda Krupa
Lorena Barajas

Natasha Johnson
David Marquez
Jonathan Ingram
Kevin Bash
David Starr Rabb
Erin Edwards*
Maryann Edwards
Ben J. Benoit

Board of Directors Absent

Chuck Washington
V. Manuel Perez
Lesa Sobek
Crystal Ruiz

*Arrived after the meeting was called to order.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Board Member Krupa.

A moment of silence was observed for Board Member Ruiz, who is currently ill and in the hospital.

At this time, Board Members Spiegel and E. Edwards arrived.

4. PUBLIC COMMENTS

There were no requests to speak 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 Board Member(s) requests separate action on specific item(s).*

M/S/C (Hewitt/Greene) to approve the following Consent Calendar items.

6A. APPROVAL OF MINUTES – MAY 3, 2021

6B. FISCAL YEAR 2020/21 THIRD QUARTER FINANCIAL REPORT

This item is for the Board of Directors to receive and file the FY 2020/21 Third Quarter Financial Report.

6C. WESTERN RIVERSIDE COUNTY MULTIPLE SPECIES HABITAT CONSERVATION PLAN FEE COLLECTION REPORT FOR APRIL 2021

This is for the Board of Directors to receive and file the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Fee Collection Report for April 2021.

6D. FISCAL YEAR 2020/21 THIRD QUARTER CONSULTANT REPORTS

This item is for the Board of Directors to receive and file the FY 2021/21 Consultant Reports.

6E. RECURRING CONTRACTS FOR FISCAL YEAR 2021/22

- 1) Approve the single-year recurring contracts in an amount not to exceed \$3,334,393, for FY 2021/22;
- 2) Approve the recurring contracts for specialized services in an amount not to exceed \$250,000, in FY 2021/22 and \$1,000,000, in FYs 2022/23 - 2025/26; and
- 3) Authorize the Chair or Executive Director, pursuant to legal counsel review, to execute the agreements on behalf of RCA.

7. ADOPTION OF FISCAL YEAR 2021/22 BUDGET AND APPROVAL OF THE BIOLOGICAL MONITORING PROGRAM WORKPLANS

Jennifer Fuller, Financial Administration Manager, provided a presentation on the Fiscal Year 2021/22 Budget. In accordance with past practice, 10% of participating special entities revenues will be allocated to the endowment for future preservation. The 2020 Nexus Study recommends that 15% of Local Development Mitigation Fee (LDMF) revenue also be allocated to the endowment. The MSHCP allows property owners who do not intend to file a development application to submit their properties for evaluation and possible acquisition under the Habitat Evaluation and Acquisition Negotiation Strategy (HANS process). Consistent with the current budget, staff recommends allocating 5% of LDMF revenue

collections to the acquisition of non-development HANS properties. The economic stability policy requires a minimum cash level of \$9 million, to be able to continue operations for at least 18 months.

The RCA staff anticipates the beginning fiscal year fund balance at \$54.9 million, just over half of this amount is restricted to how it can be spent or is reserved for non-spendable endowments. The Fiscal Year 2021/22 Budget includes estimated revenue sources of \$53.3 million and estimated uses of \$50.4 million.

Board Member Ingram inquired about the Auditing line item for \$85,000, and whether it was for the random audit process for the cities that have collected fees. Ms. Fuller noted that the audit fees listed is related to the RCA single audit and the annual financial audit. Any leftover amount would be used to pay the remainder of the cities agreed upon procedures audits for Fiscal Year 2020/21. The agreed upon procedures audits for Fiscal Year 2021/22 will be under RCTC's contract and will be reimbursed by the RCA. Board Member Ingram asked about the online payment process that was going to be implemented in an effort to eliminate the audit process, which could save money as well as giving us accurate data on permits and fees.

Anne Mayer, Executive Director, noted that the automatic fee collection is on the list of Board directed priorities, and staff has started doing the research and toured WRCOG's system. While this is something that is being pursued, it likely will not be fully implemented prior to needing the random audits. Board Member Ingram asked that a timeline for implementation be provided to the Board in the next couple months for reference.

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

- 1) Adopt the FY 2021/22 Budget and related Resolution No. 2021-014, "Resolution of the Board of Directors of the Western Riverside County Regional Conservation Authority Adopting the Fiscal Year 2021/22 Operating and Capital Budget Including Budget Policies";**
- 2) Approve the Biological Monitoring Program Work Plan and Cost Estimate included as Appendix B in the FY 2021/22 Budget; and**
- 3) Approve the Clinton Keith Road Overcrossing Mitigation Monitoring Reimbursable Program Work Plan and Cost Estimate included as Appendix C in the FY 2021/22 Budget.**

8. LEGISLATIVE UPDATE

David Knudsen, Legislative Affairs Manager, provided a presentation on the legislative update for the RCA. The Legislative Affairs team have been working on advocating for federal funds using community project funding, congressionally directed spending, and programmatic funding. Advocating for state funds have included both Wildlife Prevention and Climate Resiliency Bond Measures and member budget requests. Altogether, there is currently \$123.4 million in federal fund requests, and \$253 million in state fund requests.

Mr. Knudsen shared a clip of the senate hearing from May 19th showing testimony provided by Ed Sullivan, Executive Director of the Santa Clara Valley Habitat Agency, in support of the RCA and Habitat Conservation Plans across California on the behalf of the California Habitat Conservation Plan Coalition. Mr. Sullivan's remarks are the result of a strong partnership with the coalition and the ongoing strategic communication with federal officials.

Chair Johnson expressed excitement at the comments made by Mr. Sullivan, as they are almost verbatim the priorities of the RCA.

Board Member M. Edwards asked that the RCA continue to have regular communication with state and federal officials to continue to increase the visibility of the RCA.

This item is for the Board of Directors to receive and file an update on state and federal legislation.

9. PRESENTATION - SPECIES OF THE MONTH

Betsy Dionne, Senior Management Analyst Management and Monitoring, provided a presentation on the species of the month, the Double-Crested Cormorant.

Board Member Greene noted that Canyon Lake has many cormorants, and they seem to be frequent visitors.

10. BOARD OF DIRECTORS / EXECUTIVE DIRECTOR REPORT

Overview

Anne Mayer, Executive Director, reported that all cities have adopted all the necessary documentation for implementation of the Nexus Study Update. The County will be having their public hearing tomorrow, so it could possibly be adopted tomorrow as well. The last several months have been very busy, and there is a great appreciation for the RCA staff who worked hard with each of the member agencies and their staff to accomplish the adoptions. The next steps will be working toward implementation of the update. Ms. Mayer thanked the Board for their participation, leadership, and support in getting the Nexus Study Update adopted by their cities.

Chair Johnson echoed Ms. Mayer's comments and thanked the Board for the work that's been completed thus far. Ms. Johnson reminded the Board that staff is still available for any questions that may come up about the Nexus Study Update or implementation.

11. ADJOURNMENT

There being no further business for consideration by the Western Riverside County Regional Conservation Authority Board of Directors, Chair Johnson adjourned the meeting at 1:18 p.m.

The next meeting of the Board of Directors is scheduled to be held on **Monday, July 12, 2021**, via Zoom.

Respectfully submitted,

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

Lisa Mobley
Administrative Services Manager/
Clerk of the Board

AGENDA ITEM 7B

WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY	
DATE:	July 12, 2021
TO:	Western Riverside County Regional Conservation Authority
FROM:	Executive Committee Jennifer Fuller, Financial Administration Manager
THROUGH:	Anne Mayer, Executive Director
SUBJECT:	Western Riverside County Multiple Species Habitat Conservation Plan Fee Collection Report for May 2021

EXECUTIVE COMMITTEE AND STAFF RECOMMENDATION:

This item is for the Board of Directors to receive and file the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Fee Collection Report for May 2021.

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. Other fees are contributed by Member Agencies and other jurisdictions for civic and infrastructure projects. For FY 2020/21, RCA budgeted \$490,000 for such contributions.

Attached is the LDMF Collection and Civic/Infrastructure Contribution report for May 2021, which reflects combined collections to date of \$17,697,417.

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 May 2021

<i>Approved by the Executive Committee on June 16, 2021</i>					
In Favor:	5	Abstain:	0	No:	0

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

Amounts subject to rounding

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	Commercial Industrial Acres	Amount
City of Banning	March April-Pending	56	1.00	\$ 132,710	\$ 141,646			
City of Beaumont	April	73		163,082	614,589			
City of Calimesa	April	18		40,212	563,013			
City of Canyon Lake	April-No Activity			-	17,872			
City of Corona	April		1.29	9,781	417,088			
City of Eastvale	April	2		4,468	758,022			
City of Hemet	April	17		37,978	304,724			
City of Jurupa Valley	April	115		256,910	1,683,420			
City of Lake Elsinore	April	1	1.98	17,097	224,043			
City of Menifee	April	144	2.19	328,639	2,579,276			
City of Moreno Valley	April	41	5.18	130,993	1,029,437			
City of Murrieta	April-No Activity			-	235,665			
City of Norco	April-No Activity			-	2,234			
City of Perris	April March	5 7	1.75	24,481 15,638	1,183,369			
City of Riverside	February March April-Pending	40 34	4.85	85,618 75,956 -	325,126			
City of San Jacinto	April	44		98,296	541,475			
City of Temecula	April	15		21,450	535,714			
City of Wildomar	Roripaugh DA ¹ April-Pending			- -	111,700	20	0.79	\$ 50,723
County of Riverside	April	233		520,522	6,097,716			
Total LDMF Collections		845	18.24	\$ 1,963,830	\$ 17,366,130	20	0.79	\$ 50,723

CIVIC AND INFRASTRUCTURE CONTRIBUTIONS			
Total Civic and Infrastructure contributions from all Member Agencies			\$ 331,287
Total Civic/Infrastructure Contributions		\$ -	\$ 331,287

TOTAL MAY 2021 \$ 1,963,830 \$ 17,697,417

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

AGENDA ITEM 7C

WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY

DATE:	July 12, 2021
TO:	Western Riverside County Regional Conservation Authority
FROM:	Hector Casillas, Right of Way Manager
THROUGH:	Anne Mayer, Executive Director
SUBJECT:	Update to Adopted Resolution Nos. 2021-008, 2021-009, 2021-010, 2021-011, and 2021-012 Authorizing the Acceptance of Grant Funds for Acquisition of Real Property

STAFF RECOMMENDATION:

This item is for the Board of Directors to:

- 1) Adopt Resolution No. 2021-008, *“Resolution of the Board of Directors of the Western Riverside County Regional Conservation Authority Authorizing Entering into Grant Agreements with the Wildlife Conservation Board and Authorizing the Acquisition of All or a Portion of Assessor Parcel Number 932-160-026 Totaling Approximately 20.37 Acres in the County of Riverside”*;
- 2) Adopt Resolution No 2021-009, *“Resolution of the Board of Directors of the Western Riverside County Regional Conservation Authority Authorizing Entering into Grant Agreements with the Wildlife Conservation Board and Authorizing the Acquisition of All or a Portion of Assessor Parcel Number’s 932-180-014, 932-180-015 and 032-200-024 Totaling Approximately 56.92 Acres in the County of Riverside”*;
- 3) Adopt Resolution No. 2021-010, *“Resolution of the Board of Directors of the Western Riverside County Regional Conservation Authority Authorizing Entering into Grant Agreements with the Wildlife Conservation Board and Authorizing the Acquisition of All or a Portion of Assessor Parcel Number 932-170-016 Totaling Approximately 19.90 Acres in the County of Riverside”*;
- 4) Adopt Resolution No. 2021-011, *“Resolution of the Board of Directors of the Western Riverside County Regional Conservation Authority Authorizing Entering into Grant Agreements with the Wildlife Conservation Board and Authorizing the Acquisition of All or a Portion of Assessor Parcel Numbers 932-270-005 and 932-270-006 Totaling Approximately 51.76 Acres in the County of Riverside”*; and
- 5) Adopt Resolution No. 2021-012, *“Resolution of the Board of Directors of the Western Riverside County Regional Conservation Authority Authorizing Entering into Grant Agreements with the Wildlife Conservation Board and Authorizing the Acquisition of All or a Portion of Assessor Parcel Number 932-170-019 Totaling Approximately 20.18 Acres in the County of Riverside”*.

BACKGROUND INFORMATION:

The RCA is the recipient of several federal Section 6 Grants for habitat acquisition. The State of California is the applicant for the funds to the U.S. Fish and Wildlife Service and passes them through to the RCA. The California Wildlife Conservation Board (WCB) provides the state matching funds required for the Section 6 program. For WCB to approve sending the state and federal funds to the RCA, a board resolution is required.

The original versions of the required resolutions were approved by the board in previous meetings. Resolution Nos. 2021-009 and 2021-010 were approved by the Board on April 5, 2021. Resolution Nos. 2021-008, 2021-011, and 2021-012 were approved by the Board on May 3, 2021. However, once the parcels went through the necessary WCB review, it was determined the grant numbers in the original resolutions were incorrect. This item will correct the error and include the newly provided grant numbers.

FISCAL IMPACT:

The financial impacts of these resolutions originally adopted at prior meetings were previously disclosed. There is no additional financial impact related to the adoption of the corrected resolutions.

Attachments:

- 1) Resolution No. 2021-008
- 2) Resolution No. 2021-009
- 3) Resolution No. 2021-010
- 4) Resolution No. 2021-011
- 5) Resolution No. 2021-012

Western Riverside County Regional Conservation Authority

July 12, 2021 – Agenda Item No. 7C

Resolution No. 2021-008

RESOLUTION OF THE BOARD OF DIRECTORS OF THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY AUTHORIZING ENTERING INTO GRANT AGREEMENTS WITH THE WILDLIFE CONSERVATION BOARD AND AUTHORIZING THE ACQUISITION OF ALL OR A PORTION OF ASSESSOR’S PARCEL NUMBER 932-160-026 TOTALING APPROXIMATELY 20.37 ACRES IN THE COUNTY OF RIVERSIDE.

Resolved, That the Board of Directors of the Western Riverside County Regional Conservation Authority hereby:

1. FINDS that acquisition of the identified property is exempt from the provisions of the California Environmental Quality Act;
2. FINDS that the identified property possesses high ecological and habitat value;
3. FINDS that the use of referenced grant funds for acquisition of the identified property is an appropriate expenditure;
4. ADOPTS the staff report and recommendation for this item;
5. AUTHORIZES the execution of California Wildlife Conservation Board Grant Agreement for Acquisition of Fee Interest number WC-2169SS and the acceptance of grant funds from the Wildlife Conservation Board for the purpose of acquisition of the identified property;
6. AUTHORIZES the execution of California Wildlife Conservation Board Subgrant Agreement for Acquisition of Fee Interest number SG-2016SS and the acceptance of grant funds from the Wildlife Conservation Board for the purpose of acquisition of the identified property;
7. AUTHORIZES the acceptance of fee title to the identified property; and
8. AUTHORIZES Anne Mayer, Executive Director, to do any and all acts necessary to carry out this resolution and any recommendations made by the Board of Directors.

Natasha Johnson, Chair

I HEREBY CERTIFY that the foregoing resolution was adopted at a regular meeting of the Board of Directors of the Western Riverside County Regional Conservation Authority, duly noticed and held according to law, on the 12th day of July 2021.

Date: _____

Anne Mayer, Executive Director

Western Riverside County Regional Conservation Authority

July 12, 2021 – Agenda Item No. 7C

Resolution No. 2021-009

RESOLUTION OF THE BOARD OF DIRECTORS OF THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY AUTHORIZING ENTERING INTO GRANT AGREEMENTS WITH THE WILDLIFE CONSERVATION BOARD AND AUTHORIZING THE ACQUISITION OF ALL OR A PORTION OF ASSESSOR PARCEL NUMBER’S 932-180-014, 932-180-015 AND 932-200-024 TOTALING APPROXIMATELY 56.92 ACRES IN THE COUNTY OF RIVERSIDE.

Resolved, That the Board of Directors of the Western Riverside County Regional Conservation Authority hereby:

1. FINDS that acquisition of the identified property is exempt from the provisions of the California Environmental Quality Act;
2. FINDS that the identified property possesses high ecological and habitat value;
3. FINDS that the use of referenced grant funds for acquisition of the identified property is an appropriate expenditure;
4. ADOPTS the staff report and recommendation for this item;
5. AUTHORIZES the execution of California Wildlife Conservation Board Grant Agreement for Acquisition of Fee Interest number WC-2168SS and the acceptance of grant funds from the Wildlife Conservation Board for the purpose of acquisition of the identified property;
6. AUTHORIZES the execution of California Wildlife Conservation Board Subgrant Agreement for Acquisition of Fee Interest number SG-2015SS and the acceptance of grant funds from the Wildlife Conservation Board for the purpose of acquisition of the identified property;
7. AUTHORIZES the acceptance of fee title to the identified property; and
8. AUTHORIZES Anne Mayer, Executive Director, to do any and all acts necessary to carry out this resolution and any recommendations made by the Board of Directors.

Natasha Johnson, Chair

I HEREBY CERTIFY that the foregoing resolution was adopted at a regular meeting of the Board of Directors of the Western Riverside County Regional Conservation Authority, duly noticed and held according to law, on the 12th day of July, 2021.

Date: _____

Anne Mayer, Executive Director

Western Riverside County Regional Conservation Authority

July 12, 2021 – Agenda Item No. 7C

Resolution No. 2021-010

RESOLUTION OF THE BOARD OF DIRECTORS OF THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY AUTHORIZING ENTERING INTO GRANT AGREEMENTS WITH THE WILDLIFE CONSERVATION BOARD AND AUTHORIZING THE ACQUISITION OF ALL OR A PORTION OF ASSESSOR’S PARCEL NUMBER 932-170-016 TOTALING APPROXIMATELY 19.90 ACRES IN THE COUNTY OF RIVERSIDE.

Resolved, That the Board of Directors of the Western Riverside County Regional Conservation Authority hereby:

1. FINDS that acquisition of the identified property is exempt from the provisions of the California Environmental Quality Act;
2. FINDS that the identified property possesses high ecological and habitat value;
3. FINDS that the use of referenced grant funds for acquisition of the identified property is an appropriate expenditure;
4. ADOPTS the staff report and recommendation for this item;
5. AUTHORIZES the execution of California Wildlife Conservation Board Grant Agreement for Acquisition of Fee Interest number WC-2167SS and the acceptance of grant funds from the Wildlife Conservation Board for the purpose of acquisition of the identified property;
6. AUTHORIZES the execution of California Wildlife Conservation Board Subgrant Agreement for Acquisition of Fee Interest number SG-2014SS and the acceptance of grant funds from the Wildlife Conservation Board for the purpose of acquisition of the identified property;
7. AUTHORIZES the acceptance of fee title to the identified property; and
8. AUTHORIZES Anne Mayer, Executive Director, to do any and all acts necessary to carry out this resolution and any recommendations made by the Board of Directors.

Natasha Johnson, Chair

I HEREBY CERTIFY that the foregoing resolution was adopted at a regular meeting of the Board of Directors of the Western Riverside County Regional Conservation Authority, duly noticed and held according to law, on the 12th day of July, 2021.

Date: _____

Anne Mayer, Executive Director

Western Riverside County Regional Conservation Authority

July 12, 2021 – Agenda Item No. 7C

Resolution No. 2021-011

RESOLUTION OF THE BOARD OF DIRECTORS OF THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY AUTHORIZING ENTERING INTO GRANT AGREEMENTS WITH THE WILDLIFE CONSERVATION BOARD AND AUTHORIZING THE ACQUISITION OF ALL OR A PORTION OF ASSESSOR PARCEL NUMBER’S 932-270-005 AND 932-270-006 TOTALING APPROXIMATELY 51.76 ACRES IN THE COUNTY OF RIVERSIDE.

Resolved, That the Board of Directors of the Western Riverside County Regional Conservation Authority hereby:

1. FINDS that acquisition of the identified property is exempt from the provisions of the California Environmental Quality Act;
2. FINDS that the identified property possesses high ecological and habitat value;
3. FINDS that the use of referenced grant funds for acquisition of the identified property is an appropriate expenditure;
4. ADOPTS the staff report and recommendation for this item;
5. AUTHORIZES the execution of California Wildlife Conservation Board Grant Agreement for Acquisition of Fee Interest number WC-2178SS and the acceptance of grant funds from the Wildlife Conservation Board for the purpose of acquisition of the identified property;
6. AUTHORIZES the execution of California Wildlife Conservation Board Subgrant Agreement for Acquisition of Fee Interest number SG-2101SS and the acceptance of grant funds from the Wildlife Conservation Board for the purpose of acquisition of the identified property;
7. AUTHORIZES the acceptance of fee title to the identified property; and
8. AUTHORIZES Anne Mayer, Executive Director, to do any and all acts necessary to carry out this resolution and any recommendations made by the Board of Directors.

Natasha Johnson, Chair

I HEREBY CERTIFY that the foregoing resolution was adopted at a regular meeting of the Board of Directors of the Western Riverside County Regional Conservation Authority, duly noticed and held according to law, on the 12th day of July 2021.

Date: _____

Anne Mayer, Executive Director

Western Riverside County Regional Conservation Authority

July 12, 2021 – Agenda Item No. 7C

Resolution No. 2021-012

RESOLUTION OF THE BOARD OF DIRECTORS OF THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY AUTHORIZING ENTERING INTO GRANT AGREEMENTS WITH THE WILDLIFE CONSERVATION BOARD AND AUTHORIZING THE ACQUISITION OF ALL OR A PORTION OF ASSESSOR’S PARCEL NUMBER 932-170-019 TOTALING APPROXIMATELY 20.18 ACRES IN THE COUNTY OF RIVERSIDE.

Resolved, That the Board of Directors of the Western Riverside County Regional Conservation Authority hereby:

1. FINDS that acquisition of the identified property is exempt from the provisions of the California Environmental Quality Act;
2. FINDS that the identified property possesses high ecological and habitat value;
3. FINDS that the use of referenced grant funds for acquisition of the identified property is an appropriate expenditure;
4. ADOPTS the staff report and recommendation for this item;
5. AUTHORIZES the execution of California Wildlife Conservation Board Grant Agreement for Acquisition of Fee Interest number WC-2170SS and the acceptance of grant funds from the Wildlife Conservation Board for the purpose of acquisition of the identified property;
6. AUTHORIZES the execution of California Wildlife Conservation Board Subgrant Agreement for Acquisition of Fee Interest number SG-2017SS and the acceptance of grant funds from the Wildlife Conservation Board for the purpose of acquisition of the identified property;
7. AUTHORIZES the acceptance of fee title to the identified property; and
8. AUTHORIZES Anne Mayer, Executive Director, to do any and all acts necessary to carry out this resolution and any recommendations made by the Board of Directors.

Natasha Johnson, Chair

I HEREBY CERTIFY that the foregoing resolution was adopted at a regular meeting of the Board of Directors of the Western Riverside County Regional Conservation Authority, duly noticed and held according to law, on the 12th day of July 2021.

Date: _____

Anne Mayer, Executive Director

AGENDA ITEM 8

WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY	
DATE:	July 12, 2021
TO:	Western Riverside County Regional Conservation Authority
FROM:	Executive Committee David Knudsen, Interim External Affairs Director
THROUGH:	Anne Mayer, Executive Director
SUBJECT:	Legislative Update

EXECUTIVE COMMITTEE AND STAFF RECOMMENDATION:

This item is for the Board of Directors to receive and file an update on state and federal legislation.

BACKGROUND INFORMATION:

State Update

On May 14, 2021, Governor Newsom unveiled a revised budget proposal of \$267.8 billion, an increase from his initial \$227 billion proposal in January. This proposed spending level is a result of the unprecedented \$75.7 billion surplus and \$27 billion in federal relief approved in March. Governor Newsom proposes to spend \$21.4 billion on transportation, \$11.4 billion on natural resources, and \$6 billion on environmental protection. The Governor’s May Revision reflects his spending priorities and is not final.

While the Governor’s May revise does not include specified funding for Habitat Conservation Plans (HCP), a number of proposals could be of benefit to RCA and HCPs across the state. Governor Newsom proposed \$4.35 billion in programs to address drought conditions, including \$33 million to the California Department of Fish and Wildlife (CDFW) for drought-related fisheries and wildlife support and \$230 million over two years to the Wildlife Conservation Board (WCB) for wildlife corridors and fish passage. Additionally, the Governor proposed \$3.8 million to continue CDFW’s Cutting the Green Tape initiative to improve permitting and grant efficiencies and \$80.9 million in one-time spending to the CDFW for limited-term and temporary-help staff and investments in equipment and technology to address endangered species, the deferred maintenance backlog, and stewardship of protected lands.

The Senate and Assembly are negotiating a budget package expected to be passed by June 15, 2021. The Governor must sign a budget by June 30th. Notably, the Senate has proposed a \$3.67 billion Climate Package, which includes a \$500 million investment in the WCB for fish and wildlife protection.

This year, discussions in Sacramento indicate that the Legislature is expected to forgo their bicameral Budget Conference and instead pass a budget that includes all items in which the Senate and Assembly agree, and then continue negotiation for the remainder of the budget, to be passed in a “Budget Jr.” bill in July or August.

On May 26, 2021, the California Habitat Planning Coalition (CHCPC) submitted a letter to Governor Newsom, Senate Pro Tem Toni Atkins, and Assembly Speaker Anthony Rendon in support of the Senate’s proposed Climate Package. In the letter, the CHCPC urged for the following investments to be included in the final budget:

- No less than \$200 million of the \$500 million to the WCB should be directed to the conservation of natural lands for climate resiliency;
- The eligible uses of the \$230 million to the WCB’s Wildlife;
- Corridors and Fish Passage program in the Governor’s drought proposal should be broadened to include protection and restoration of natural lands;
- Include Natural Community Conservation Plans (NCCP) and HCPs in the wildfire package at the same funding level as conservancies; and
- Make a modest increase to CDFW’s Local Assistance Grants for NCCPs & HCPs to total \$1 million each year.

Legislative Affairs staff shared the Coalition’s letter with RCA’s legislative delegation to keep them apprised of the CHCPC’s priorities during this fast-moving process. Legislative Affairs staff will continue to monitor the progress of the budget and advocate for programs that will benefit the RCA and increase the State’s investment in the Multiple Species Habitat Conservation Plan (MSHCP).

SB 45 / AB 1500 Status Update

Of note, the Senate’s proposed Climate Package deliberately includes provisions from the bond measure proposed by Senator Portantino in SB 45, such as the above referenced \$500 million to the WCB. The Senate Budget Subcommittee 2 staff recommendation made direct reference to incorporating provisions from SB 45 into the budget.

The Legislative Affairs staff is monitoring how the budget process may impact whether or not SB 45 or AB 1500 (E. Garcia) are passed this year. SB 45 has been ordered to the Senate Inactive File, where the bill will lie dormant if and until it is brought to the Senate Floor for consideration after one day’s public notice. While AB 1500 was passed by the Assembly Appropriations Committee, it was re-referred to the Assembly Rules Committee, where it may similarly be released in the future for consideration on the Assembly Floor. With the last day for each house to pass bills introduced in that house on June 4, 2021, it is likely that both SB 45 and AB 1500 will become two-year bills.

Legislative Affairs staff will continue to monitor the progress of SB 45 and AB 1500, and advocate for programs that will benefit RCA.

Federal Update

On May 28, 2021, President Biden proposed a FY 2022 budget of \$6 trillion, which is about \$300 billion higher than current federal spending projections for the year. The President's proposal combines his \$2.3 trillion American Jobs Plan, \$1.8 trillion American Families Plan, and \$1.5 trillion in discretionary spending. Presidents' budgets have historically been seen as vision documents, and Congress ultimately dictates the spending levels each fiscal year.

President Biden proposed \$17.4 billion in spending for the Department of Interior, a 16.7% increase from the enacted FY 2021 Budget. This includes a proposed 21.6% increase for the U.S. Fish and Wildlife Service, which in turn includes a 16.2% increase in the Ecological Services program, from which the Cooperative Endangered Species Conservation Fund (Section 6) is funded.

Community Project Funding

Staff submitted Congressionally Directed Spending (CDS) requests to Senators Feinstein and Padilla seeking land acquisition funds. RCA requested \$6 million for the Eden Hot Springs and Sage Acquisition and \$4.2 million for the Wolfskill Acquisition from Senator Feinstein and requested \$4.2 million for the Wolfskill Acquisition from Senator Padilla. Together with the direct acquisition requests submitted to Representatives Calvert, Ruiz, and Takano, this adds up to \$23.2 million in direct acquisition requests submitted to congressional representatives.

Staff have developed a factsheet detailing the current status of requests for over \$376 million in member-designated programmatic and project funding. The Legislative Affairs team will continue to monitor progress of member-directed spending requests.

Senate Biodiversity Hearing and Follow-up Advocacy

As the Board is aware, on May 19, 2021 Ed Sullivan of the Santa Clara Valley Habitat Agency provided testimony on behalf of the CHCPC to the Senate Committee on Environment and Public Works (EPW) for their hearing entitled, "Examining Biodiversity Loss: Drivers, Impacts, and Potential Solutions." Mr. Sullivan represented California HCPs well and requested support for establishing the Western Riverside County National Wildlife Refuge. Mr. Sullivan's submitted testimony is attached.

Legislative Affairs staff were pleased that Senator Padilla offered questions and comments that were positive for HCPs and that he explicitly referenced the proposed wildlife refuge. In order to capitalize on this recognition, RCA sent a letter to Senator Padilla (attached) with a copy to EPW Chair Carper thanking him for his comments and interest in habitat conservation and providing him with an actionable opportunity to benefit HCPs across the country. The letter requested that the EPW Committee include report language in their proposed surface transportation reauthorization bill to allow the use of Endangered Species Act (ESA) Section 10 "incidental take" permits to recognize mitigation that occurs in HCPs outside of a given transportation project area

or corresponding HCP boundary in which the project is located, provided that the mitigation is biologically equivalent or that unavoidable impacts are mitigated, and that the HCP utilized is within the same state. If enacted, this report language would incentivize widespread use of HCPs while facilitating sustainable infrastructure development needed to meet the challenges of the 21st century. This request mirrors report language submitted by Representative Calvert in the House of Representatives.

Legislative Affairs staff will continue to monitor the report language requests and explore opportunities to capitalize on the positive response received at the EPW hearing.

Attachments:

- 1) State and Federal Update Legislative Matrix
- 2) California Habitat Planning Coalition Letter to Governor Newsom
- 3) State and Federal Funding Request Summary
- 4) Edmund Sullivan's Testimony to the Senate Committee on Environment and Public Works
- 5) RCA Letter to Senator Padilla regarding biodiversity and infrastructure development

WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY POSITIONS ON STATE AND FEDERAL LEGISLATION – JUNE 2021

Legislation/ Author	Description	Bill Status	Position	Date of Board Adoption
SB 45 (Portantino)	Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2022. This bill would enact the Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2022, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$5,595,000,000 pursuant to the State General Obligation Bond Law to finance projects for a wildfire prevention, safe drinking water, drought preparation, and flood protection program.	Ordered to inactive file on request of Senator Portantino June 1, 2021	<i>Support, if amended</i> <i>(based on platform)</i>	April 8, 2021
AB 1500 (Garcia)	Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, and Workforce Development Bond Act of 2022. This bill, which if approved by the voters, would authorize the issuance of bonds in the amount of \$6,955,000,000 pursuant to the State General Obligation Bond Law to finance projects for safe drinking water, wildfire prevention, drought preparation, flood protection, extreme heat mitigation, and workforce development programs.	Assembly Rules Committee May 20, 2021	<i>Support, if amended</i> <i>(based on platform)</i>	March 30, 2021
H.R. 972 (Calvert)	A bill to establish the Western Riverside County Wildlife Refuge. This legislation creates the federal government's framework to meet its obligations under the Multiple Species Habitat Conservation Plan (MSHCP) Implementing agreement.	Referred to the House Committee on Natural Resources February 11, 2021	<i>Support</i>	April 5, 2021

May 26th, 2021

The Honorable Gavin Newsom
Governor, State of California

The Honorable Toni Atkins
President Pro Tempore
California State Senate

The Honorable Anthony Rendon
Speaker
California State Assembly



Subject: Budget Proposals for Natural and Working Lands

Dear Governor Newsom, Pro Tem Atkins, and Speaker Rendon,

The California Habitat Conservation Planning Coalition participants are local government agencies, NGOs, and businesses who develop and support the implementation of regional Habitat Conservation Plans (HCPs) and Natural Community Conservation Plans (NCCPs) in California.

We write in enthusiastic support of the Senate's \$3.675 billion Climate Package, particularly the \$500 million investment in the Wildlife Conservation Board for protecting fish and wildlife in response to drought, wildfire and changing climate conditions. We also appreciate the proposal for staffing at the Department of Fish and Wildlife to support species and habitat conservation, which will benefit timely review of our Plans' acquisition and restoration projects. We urge you to give guidance in your budget language to ensure that a portion of the natural resources funding packages will support our Plans, given their unique ability to meet the climate, wildfire resiliency, and drought resiliency goals of the state.

Our coalition therefore urges you to direct a portion of the climate, drought, and wildfire packages towards acquisition and projects on natural and working lands to protect and enhance critical habitat.

Investments should include the following:

- No less than \$200 million of the \$500 million to the Wildlife Conservation Board should be directed to the conservation of natural lands for climate resiliency;
- The eligible uses of the \$230 million to the Wildlife Conservation Board's Wildlife Corridors and Fish Passage program in the Governor's drought proposal should be broadened to include protection and restoration of natural lands;
- Include NCCPs & HCPs in the wildfire package at the same funding level as conservancies; and
- Make a modest increase to CDFW's Local Assistance Grants for NCCPs & HCPs to total \$1 million each year.

HCPs and NCCPs, in addition to protecting listed and rare species, help implement the state's Climate Plan. They also bolster natural and working lands by promoting carbon sequestration and curbing sprawl. Highlights of these plans include:

- they use science to identify, preserve, and adaptively manage landscapes for species conservation and recovery;

- they protect and enhance resilient landscapes that reduce the negative impacts of a variety of ecological threats and stressors, such as wildfires and droughts;
- they provide streamlined permitting of infrastructure and urban-suburban development projects that will facilitate more than \$1.6 trillion of economic activity;
- when all the plans are fully implemented, they will permanently conserve over two million acres of important wildlife habitat, benefitting nearly 400 listed and rare species.

HCPs and NCCPs support both conservation and equity priorities. The Governor’s Executive Order N-82-20 established the state’s goal to conserve 30% of the state’s lands by 2030 and protect the biodiversity of California’s unique plants and animals. Resources Secretary Crowfoot has prioritized opportunities for disadvantaged communities to enjoy the state’s natural areas. Nature preserves close to urban areas meet both of these important goals, and these are the exact focus of HCPs and NCCPs.

The federal government has also highlighted the importance of land conservation in stemming the tide of species extinction. One of our coalition members was recently invited to testify before the Senate Environment and Public Works Committee on the importance of HCPs in achieving the goals of federal programs such as the Endangered Species Act to slow the impending global rate of species extinction.

In addition to the biodiversity benefits that Plans provide, HCPs and NCCPs leverage significant federal and local resources, provide streamlined permitting, and facilitate infrastructure development. Investing in these Plans will bring in the economic activity that is necessary for communities to recover, while also providing necessary protections for wildlife habitat.

The state has a once-in-a-lifetime opportunity to make bold and necessary investments that will achieve permanent benefits for conservation on working and natural lands. These actions protect and restore the landscapes that provide water supply and increase access to nature across the state. They will provide essential habitat for dwindling threatened and endangered species. They will also sequester carbon and buffer Californians against some of the worst impacts of climate change. The sooner we act to address the climate crisis, the greater potential we have to make a meaningful difference. A bold investment in 2021 will make our watersheds, farmlands and wildlands more carbon rich and climate resilient – at the very times that climate impacts are worsening, and emission reductions are becoming more urgent and increasingly difficult.

Thank you for your leadership on funding for conservation in the budget, and we respectfully request inclusion of the investments above so that we can fully support that effort.

Sincerely,

A handwritten signature in black ink, appearing to read "John Hopkins", written over a horizontal line.

John Hopkins, PhD
Director
California Habitat Conservation Planning Coalition



State and Federal Funding Request Summary

May 28, 2021

contact: Anne Mayer (amayer@rctc.org) or Aaron Hake (ahake@rctc.org)

RCA Seeks \$376.4 Million in State and Federal Funding – With the return of congressional earmarks and the State’s unprecedented budget surplus, the RCA submitted requests for member-designated programmatic and project funding totaling over \$376 million. These requests would either fund direct land acquisition to implement the MSHCP or benefit HCPs across the state and country.

Share of Responsibility – 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 to complete the MSHCP. MSHCP permittees have adopted Local Development Mitigation Fee (LDMF) increases that will be effective July 1, 2021. While RCA does not expect for the majority of these requests to succeed, Western Riverside County’s fee payers and taxpayers are contributing their fair share to the plan, and it is critical that our federal and state partners do the same.

Federal Funding Requests for Land Acquisition			
Project	Amount Requested	Congressional Office	Status
Eden Hot Springs Acquisition	\$3 million	Rep. Calvert	Not Submitted by Member
Sage Acquisition	\$3 million	Rep. Ruiz	Not Submitted by Member
Kelvar and Wolfskill Acquisition	\$3 million	Rep. Takano	Submitted to Committee; Under Review
Eden Hot Springs and Sage Acquisition	\$6 million	Senator Feinstein	Under Review by Member
Wolfskill Acquisition	\$4.2 million	Senators Feinstein and Padilla	Under Review by Members
Section 6 Grant Program Funding	\$100 million	Senate and House Delegation	Under Review by Members

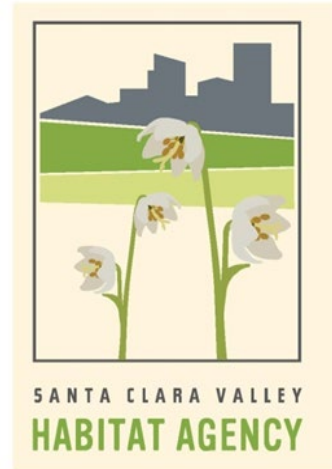
State Funding Requests for Land Acquisition			
Project	Amount Requested	Legislative Office	Status
Lake Elsinore Back Basin Acquisition	\$3 million	Assemblymember Seyarto	Submitted to Committee; Under Review
Statewide Wildlife Conservation Board Funding	\$50 million	Assemblymembers Medina and Seyarto	Not submitted by Members
Statewide Wildlife Conservation Board Funding	\$100 million (SB 45)	Senator Portantino	Pending Senate Floor Vote; Amendments Not Accepted to Date
Statewide Wildlife Conservation Board Funding	\$100 million (AB 1500)	Assemblymember E. Garcia	Pending in Assembly Rules Committee; Amendments Not Accepted to Date

Our Communities Can’t Do This Alone, and Neither Can They – We cannot succeed alone. That means the RCA must seek state and federal funding at every opportunity. State and Federal governments have ambitious conservation and climate change goals that cannot succeed without greater financial partnership into locally supported plans like the MSHCP.

The Multiple Species Habitat Conservation Plan (MSHCP) – A nationally acclaimed plan, and the largest of its kind, our MSHCP is a comprehensive local-state-federal partnership now 17 years into implementation that focuses on the permanent conservation of 500,000 acres, protection of 146 species, and streamlining transportation infrastructure and development. 410,279 acres of land have been conserved since the MSHCP’s inception in 2004, accounting for 82% of the reserve goal.

Economic Driver – The implementation of the MSHCP accelerates the construction of infrastructure and real estate development, reduces project cost, and provides permitting efficiencies that leads to economic growth across western Riverside County.

Environmental Stewardship – HCPs are a proven and underutilized tool to meet state and federal conservation and climate action goals to bolster biodiversity for a healthy ecosystem, protect open space, and improve the quality of life for all residents.



TESTIMONY OF

Edmund Patrick Sullivan

Executive Officer – Santa Clara Valley Habitat Agency

Member – California Habitat Conservation Planning Coalition

REGARDING

**Habitat Conservation Plans and Biodiversity Loss: A Solution
to the Problem**

BEFORE THE

**Committee on Environment and Public Works Committee of
the United States Senate**

ON

Wednesday, May 19, 2021

Introduction

Chairman Carper, Ranking Member Capito, and Members of the Committee, thank you for the opportunity to appear today and speak to the theme of Examining Biodiversity Loss: Drivers, Impacts, and Potential Solutions.

My name is Edmund Sullivan, and I serve as the Executive Officer of the Santa Clara Habitat Agency (Habitat Agency) and a member of the California Habitat Conservation Planning Coalition (CHCPC). Today, it is my honor to testify on behalf of the Habitat Agency and CHCPC, which represents Habitat Conservation Plan (HCPs) stakeholders across California.

Why is Biodiversity Important?

Biodiversity underpins all life on Earth. Without species, there would be no air to breathe, no food to eat, no water to drink. There would be no human society at all. The map of biodiversity hotspots overlaps extraordinarily well with the map of the natural places that most benefit people.

Biodiversity also refers to the number or abundance of different species living within a particular region. It represents the wealth of biological resources available to us. It is all about sustaining the natural area made up of a community of plants, animals, and other living things that is being reduced at a steady rate.

Biodiversity is important to most aspects of our lives. We value biodiversity for many reasons, some utilitarian, some intrinsic. This means we value biodiversity both for what it provides to humans, and for the value it has in its own right.

Biodiversity offers several ecosystem services which we all depend upon. They are as follows.

1. Keeping Biodiverse Ecosystems Intact Helps Humans Stay Healthy
 - ✓ As 2020 has shown us, there is a close link between disease outbreaks and the degradation of nature.
2. Supports a Variety of Plant Species
 - ✓ With greater biodiversity, the variety of plants increases. This leads to more opportunities, especially for farmers, since they can plant a greater variety of crops and thus use their land more effectively.
3. Ecosystem Balance
 - ✓ Recycling and storage of nutrients, combating pollution by breaking it down and its absorption, stabilizing climate, protecting water resources, forming, and

protecting soil, recovery from unpredictable events and maintaining overall eco-balance.

4. Freshwater Resources

- ✓ Through a variety of microorganisms and other creatures, it can be assured that freshwater resources are sustained.

5. Biodiversity and Economy

- ✓ Biodiversity is priceless. However, there have been attempts to put an economic value on biodiversity. At least 40 percent of the world's economy and 80 percent of the needs of the poor are derived from biological resources.

6. Biodiversity and Industry

- ✓ Biological sources provide many industrial materials, including rubber, cotton, leather, food, paper, timber, water, fiber, oil, and dyes.

7. Food Resources

- ✓ Biodiversity provides for a variety of foods for the planet. Because of the availability of different species, humans can obtain a range of materials and foods to support their well-being and health.

8. Climatic Stability

- ✓ Biodiversity protects the planet from global warming. For example, rainforests store huge amounts of greenhouse gas CO₂. In addition, forests and wetland ecosystems provide crucial buffers to extreme storms and flooding related to climate change.

9. Sustain Recreation Areas

- ✓ Whether it is animals or humans, every species needs a place to rest. It is therefore crucial that we contain the natural variety of our planet to provide recreational areas where people can rest and escape from the stresses of life.

10. Source of Drugs

- ✓ Nature, especially our plants, provide an immense variety of ingredients which are used for pharmaceutical processes.

How can HCPs Stem the Loss of Biodiversity?

I hope my testimony will prove to be a catalyst into further exploration of the benefits of and lessons learned from large-scale, multi-agency Habitat Conservation Plans (HCPs), which are effective solutions to biodiversity loss, while assisting economic development. In thinking about the future of habitat conservation planning, it is important to appreciate HCPs legacy. Through the Endangered Species Act's (ESA) HCP program, endangered species conservation has evolved considerably, and several lessons can be gleaned from this development – most notably, that with foresight, planning and investment, economic developing and biodiversity are not mutually exclusive.

Area-wide, multi-agency HCPs have particularly altered the landscape of habitat conservation. These plans introduced the possibility of a more comprehensive, adaptive, and collaborative approach to mitigation and conservation. In assessing these pioneering arrangements, it is important to consider not only the efficiency of their formation and implementation processes, but also their effectiveness in advancing valuable conservation goals.

Landscape scale HCPs are attempting to implement sustainable development principles of facilitating economic development while at the same time protecting wildlife habitat, biodiversity, and local food systems, and sequestering carbon. The integration of environment and development will lead to improved living standards for all, better protected and managed ecosystems, and a safer, more prosperous future.

Regional HCPs also facilitate the development of major infrastructure projects in addition to the substantial private development that is dependent on this infrastructure. Direct economic benefits of large-scale HCP include:

1. Cost savings through reduced uncertainty, time delay, and compliance costs. Regional HCPs dramatically speed up project permitting.
2. Large-scale regional HCPs accelerate the completion and operation of regional infrastructure projects and other development projects.
3. Cost savings for the USFWS – public sector efficiencies – due to a significant reduction in time required to review and negotiate “take” permits by delegating ESA permitting authority through an approved HCP to local government.

Numerous bridge and road infrastructure projects, including the widening of US-101 in Santa Clara County, benefited from the streamlined permitting provided by the Santa Clara Valley Habitat Plan. And in turn, the mitigation that resulted from these projects resulted in the protection of and the in-perpetuity management of thousands of acres of core habitat of listed threatened and endangered species.

Another example of how effective HCPs are is the Western Riverside County Multi-species HCP, which expedited a new Metrolink rail line, two new freeways, and six major freeway widening projects and resulted in conserving 33 federal and state listed species and 500,000 acres of wildlife habitat.

My final example highlighting HCPs is the Columbia Pipeline Group HCP, which covers 15,000 miles of pipeline across 14 states, and 3 Fish and Wildlife Service Regions. It addresses 90 endangered species and conservation within a 9.5 million acres area. The HCP proponents worked closely with federal and state agencies as well as numerous NGOs. The Columbia Pipeline Group HCP resulted in expedited self-implemented permitting, reduced ESA and NEPA risk, and

landscape level conservation that coordinates mitigation with the goal of protecting areas with the highest conservation biodiversity values.

Overview of Regional HCP Benefits

Landscape scale regional HCP careful management of wildlife habitat and permit certainty is the backbone of their success. The benefits to species and their habitat, all levels of government, and the community are listed below.

Species & Habitat

- Directly supports the covered species.
- Improves protection for species and their habitats at a landscape scale.
- Improves habitat quality.
- Increases species population size.
- Increases extent of habitat.
- Provides an "umbrella of protection" for many other local species.
- Increases connectivity for species between occupied areas.
- Creates a program to identify and reduce future threats and impacts to species.

Federal, State and Local Governments

- Provides for coordinated monitoring, management, and restoration planning.
- Provides a substantial commitment of resources at the onset of the program which allows for the initiation of conservation actions.
- Increases knowledge of threatened and endangered species.
- Provides clear guidelines on how and where to protect habitat and where to focus development.
- Provides framework to take advantage of future opportunities and partnerships.
- Helps promote resource conservation and education.
- Allows for the streamlined permitting of new development and infrastructure.

- Resolves many contentious land use planning disputes because all parties to the agreement understand the development and conservation game plan.

The Community

- Increases local knowledge of threatened and endangered species and related ecological resources.
- Creates opportunities for cooperative regional efforts to conserve national resources.
- Public access to some of the lands HCPs protect.
- Working lands conservation – keeping farmers and ranchers on the land.
- Enhancing ecosystem services functions including flood retention, carbon sequestration, and buffers against oceanic storm events.
- Voluntary land conservation – fee title or conservation easements purchased from willing sellers.

How Regional Landscape Scale HCPs are Protecting Biodiversity Hotspots

Protected areas are the backbone of global biodiversity conservation. Land conservation at the ecosystem scale is a key driver for achieving that objective and regional HCPs are one of the best mechanisms available capable of implementing that objective. Why do I believe large scale multi-species HCPs are well positioned to implement a policy goal focused on biodiversity conservation?

1. It is our core mission.
2. Financial sustainability.
3. Endowment financing focused on in-perpetuity funding for land management and monitoring.
4. Collaborative partnership between all levels of government, NGOs, and private landowners.
5. Adaptative management drives HCP land management and conservation decision making.
6. Science driven land conservation decision-making process focused on protecting biodiversity hotspots.

In the past, conservation primarily focused on preserving existing biodiversity patterns and acted reactively with respect to new threats. With the effects of climate change, regional HCPs and

other similar conservation efforts are leading a paradigm shift in habitat reserve design and function. A relatively straightforward and intuitive approach is to focus on identifying and protecting biodiversity in those areas least likely to undergo rapid climate-induced changes. Regional efforts are best suited for tackling climate change impacts since they are ecosystem focused, building resiliency and redundancy into the landscape, establishing wildlife linkages, and protecting climate refugia.

For example, the Santa Clara Valley Habitat Plan (SCVHP) identified biodiversity hotspots based on the best available science, critical species occurrence data, remote sensing analysis, and growth truthing when and where feasibility. This decision matrix as well as understanding critical wildlife linkages drives our land acquisition decision-making. Because of this process, my agency has purchased several properties dominated by California native endemic plants, some found only in Santa Clara County, and home to the Bay checkerspot butterfly and other species only found in California.

The United States has many biodiversity hotspots including parts of California, the Appalachian Mountains, the North American Coastal Plain, and Madrean Pine-Oak Woodlands. One of those hotspots in California is in Riverside County. One my asks today is for Senate support establishing the Western Riverside County National Wildlife Refuge (WRCNWR) in a biodiversity hotspot found in Southern California which would protect habitat and vulnerable species, increase access to public lands for underserved communities, and provide expedited permitting for infrastructure and development. Moreover, the proposal would directly protect 146 species—33 of which are listed as threatened or endangered under the Endangered Species Act or state law. WRCNWR would ensure finalization of the country’s largest and most extensive HCP and is directly linked to biodiversity.

Threats to Biodiversity

The threats to biodiversity are many, but today I will be focusing on invasive species, climate change, and loss of habitat, and how landscape scale HCPs can help tackle these threats.

Invasive Species

Invasive species are among the leading threats to native wildlife. Approximately 42 percent of threatened or endangered species are at risk due to invasive species. Human health and economies are also at risk from invasive species. The impacts of invasive species on our natural ecosystems and economy cost billions of dollars each year. Many of our commercial, agricultural, and recreational activities depend on healthy native ecosystems.

America has a very large and increasing number of non-native species, which are spreading rapidly due to the consistent decline of native species for many of the reasons discussed above related to climate change. Non-native species are excellent opportunists, often better suited to take advantage of a newly disturbed site from an extreme event like fire or flood, and once they have developed a strong position, it is very hard for native species to effectively compete for necessary resources such as water, light, and food. Non-native species can often change the habitat in a way that it becomes ill suited for natives and therefore change the ecosystem dynamics in a way that is nearly irretrievable and can also affect the most fundamental levels of ecosystem health, such as complex food webs. Controls that worked in the native habitats do not work in their new locations, the reasons ranging from lack of predators to our native species being susceptible to the new disease.

Examples of invasive species' impacts include non-natives killing animals and plants along with disrupting ecological functions. Much of south Florida is infested by Burmese pythons. They eat virtually any animal they encounter in the Everglades, with huge impacts on the native mammal and bird populations. Unnatural wildfires result from invasive species in some locations. Non-native grasses in desert areas that were historically fire resistant are a major example. Historically, vegetation was very sparse, so that fires from lightning or other causes would not spread to catastrophically large size. A carpet of non-native grasses can result in devastating wildfires in locales such as saguaro cactus lands of Arizona, Joshua tree woodlands in the Mohave desert and the common desert creosote bush scrub. At one creosote bush scrub fire location, there was no reappearance of the scrub after 40 years. In some eastern United States areas, up to 80% of the hemlock trees have been killed by an invasive insect making these forests particularly vulnerable to non-native tree species creating type conversion to a different ecosystem in the long-term.

Freshwater aquatic ecosystems are among the most imperiled ecological communities worldwide. Invasive alien species are a major threat to freshwater ecosystems, and American bullfrogs (*Lithobates (Rana) catesbeianus*) are among the world's 100 most prominent aquatic invasive species. Moreover, there is a strong historical link between the introduction of the American bullfrog into the western United States and the emergence of the deadly chytrid fungus, a pathogen that has caused declines and extinctions of amphibians around the world. The bullfrogs, native to the eastern United States, likely coevolved with the deadly fungal pathogen, *Batrachochytrium dendrobatidis* (Bd), and brought it with them when the bullfrogs were introduced as a food source in the West and later traded throughout the world. As invasive species and disease vectors, bullfrogs continue to threaten amphibian populations that may have no defenses against Bd, including endangered species like the California red-legged frog, the mountain yellow-legged frog and the California tiger salamander.

By mitigating for environmental impacts at the landscape/ecosystem scale, it is harder for invasive species to take hold. Furthermore, HCPs have the long-term focus on eradicating non-native species threatening natural landscapes because this is a critical component of our land

management enhancement strategy. Invasives are a threat to the long-term viability of our special status species: a threat we cannot ignore. The SCVHP has taken on the invasive species challenge by removing feral pigs from our Reserve System, bullfrogs from wetlands and ponds, and invasive plants like barb goatgrass (*Aegilops triuncialis*) from our serpentine bunchgrass plant community.

Climate change drivers of biodiversity and species decline

One of the principal challenges to our mission as HCP practitioners is climate change and its impact on ecosystem health. It is a major threat to biodiversity, to species extinction, and a big challenge to conservation. Globally, an estimated 8 million species of animals and plants are threatened with extinction by climate change. Climate change is currently affecting 19% of species listed as threatened on the International Union for the Conservation of Nature's Red List of Threatened Species, increasing the likelihood of their extinction.

Climate change affects species range, biology, abundances, and community composition; communities that have adapted over time based upon key relationships and interdependencies amongst various species. This is where consequences of biodiversity loss become a national risk and the importance of planning for ecosystem resilience becomes imperative.

In the past, conservation primarily focused on preserving existing biodiversity patterns and acted reactively with respect to new threats. With the effects of climate change, HCPs are leading a paradigm shift in habitat reserve design and function. A relatively straightforward and intuitive approach is to focus on identifying and protecting biodiversity in those areas least likely to undergo rapid climate-induced changes. Large scale HCPs are best well suited for tackling climate change since they are ecosystem focused on building resiliency and replication into the landscape, establishing wildlife linkages, and protecting climate refugia.

Historically, species have been able to adapt to changing climates because these changes to their habitat took place slowly. The current rapid climate change is too fast for many species to adapt to new and changing conditions. Additionally, the many stressors related to climate, such as increased temperature, extended drought, increased fire intensity, extreme cold, extreme flooding, and sea level rise, potentially compound with other threats such as habitat loss and degradation, increased pollution, and human impacts at the urban/wildland interface. Together these threats and stressors decrease the functional resilience of species, populations, and ecosystems as a whole.

If our natural communities are not resilient and do not remain ecologically functional, serious impacts could be seen within the communities and our nation. For example, the black mangroves of south Louisiana are an important component of a very complex saltmarsh ecosystem. The complexity of the habitat provided by this system provides important fisheries nursery habitat supporting the world-renowned seafood, sportfishing, and tourism industries of the Gulf Coast.

What is less known, however, is that this ecosystem also offers protection from impacts of hurricanes and storm surge. These mangrove communities slow storm surge and protect the coast from land loss. In fact, mangroves build land over time through their robust below-ground root systems, sequestering carbon in the process. Local extinction of black mangrove from coastal Louisiana and other Gulf states would have serious consequences, to not only aquatic food webs supporting thousands of species, but also Gulf coast economies, infrastructure resilience to hurricanes and ultimately global carbon dioxide levels. Unfortunately, black mangrove communities along the northern Gulf Coast are at risk due to sea level rise and extreme cold events that may increase due to climate change.

Climate change results in a variety of drivers that affect biodiversity, species populations, and ecological communities across our nation. They include increasing temperatures, changes in precipitation patterns, increasing severity and frequency of extreme events, sea level rise, changing ocean currents, and salinity fluctuations. There are also interactions with other factors, such as invasive species and habitat fragmentation. Often the impacts are complex and variable from species to species and biological community to biological community.

Changes in the geographic ranges of individual species

Geographic range is the overall area where a species lives. For example, almost all occurrences of the greater sage grouse are in Nevada, Oregon, Idaho Wyoming, and Montana. The eastern flying squirrel in the U.S. ranges from Florida to Texas in the south, northwards to the Canadian border from North Dakota to Maine. Many species have much more limited geographic ranges. And, like the greater sage grouse, they may depend on a particular type of habitat. The desert tortoise is limited to certain desert areas in California, Nevada, Arizona, and Utah. The Texas toad's range is almost entirely central and west Texas. The northern pin oak is limited to a small area south and west of the Great Lakes. A very large number of native plant species are only found in California. Often, they are in very small areas, with particular needs for soil type, moisture and other factors. Species with small ranges and/or requiring niche ecological conditions are often more vulnerable to the various effects of climate change. For example, researchers have predicted that future temperature changes could threaten up to 66% of California's unique plants, including current range losses of 80% or more.

There are many examples of species ranges shifting northwards and /or to higher elevations in response to rising average temperatures and /or climate change induced changes in rain and snowfall patterns. As of 2015, 55% of the species in temperate North America had either disappeared from the southern edges of their ranges or expanded to new areas in the north. The Edith's checkerspot butterfly has disappeared from many locations in the southern portion of its range [California, Nevada, Utah]. As of 2006, the average [mean] location had moved 32 miles northwards. Alpine species such as the pika are moving uphill but will run out of habitat because they cannot go higher than the tops of mountains. This is a dramatic example of how a shift in a species range can disconnect that species from the ecosystem it requires.

Combined effects of increased temperature and changing precipitation patterns

Increased temperature has led to ecological changes including the migration of Chinook salmon (*Oncorhynchus tshawytscha*) to rivers from the Arctic to California, while behavioral changes in species include earlier breeding times for numerous North American songbirds. Climate change is also causing significant physiological changes. Warmer temperatures during egg incubation are causing imbalanced female to male sex ratios among endangered green sea turtles (*Chelonia mydas*), with females accounting for 99% of newly hatched turtles on some nesting beaches. Genetic changes attributed to climate change include hybridization – interbreeding as species' habitats change.

Climate change is also causing changes in precipitation patterns. The latter will vary from region to region as local and regional weather is driven by climate conditions. For example, the Southwest is becoming drier. Over time, we will see dramatic distribution changes in biological community composition and loss of species, including the major plant species that define a region. This is occurring already. For example, between 1997 and 2006, the average elevation of the dominant plant species in the California's Santa Rosa Mountains rose by 213 feet because of changes in regional climate. The Mohave Desert's Joshua trees may become extinct due to shifting precipitation patterns and California blue oak woodlands will shift uphill over time and may eventually disappear altogether from much of Central California. Temperature and precipitation also have significant effects on overall forest health. A stressed forest ecosystem is more susceptible to disease, invasive pests, and catastrophic wildfire.

Natural processes are also being disrupted by climate change. Southern California scrub habitats regenerate after fire. But if the next severe fire occurs too soon, the natural regeneration will not occur. The result is replacement of the native vegetation with non-native grasses. Intense fires over a large area of the landscape in turn affects many ecosystem services that are important to the surrounding communities such as water supply, soil health, water quality, public recreation, carbon sequestration, air quality, etc. Forests devastated from fire are often unable to fully re-establish and instead become infested with non-native and invasive species.

Intense wildfires, major floods, extended droughts, extreme cold spells, etc. are all becoming more severe and more frequent because of rising temperature within the atmosphere and oceans. Historically, these events have occurred at frequencies and extents which nature could handle, with native vegetation regenerating after the fire or flood. However, the rapidly changing climate is pushing species and populations outside their zone of resilience, to a place where they do not have the biological fitness nor tools for adaptation available to survive. For these reasons, climate change is one of the biggest challenges to global biodiversity that we face.

Habitat fragmentation affects the ability of nature to handle climate change

It has long been understood that when animals are left without large areas of intact habitat, they are at greater risk of extinction: fragmentation leaves animals confined to ever-smaller areas, restricting movement and gene flow, and leaving species vulnerable to threats ranging from poachers to climate change. A 2017 study published in the Proceedings of the National Academy of Sciences set out to quantify this risk for more than 4,000 land-dwelling mammal species across the globe — and found that species with more fragmented habitats were at greater risk of extinction. A prime example of this challenge is for the San Joaquin kit fox a once abundant species where there are now fewer than 7,000 scattered among fragmented populations.

Habitat loss and fragmentation have long been considered a primary cause for biodiversity loss and ecosystem degradation and is a key challenge for landscape scale HCP implementation. Although some habitats are naturally patchy, human actions have profoundly fragmented landscapes across the North America, altering the quality and connectivity of habitats. Therefore, understanding the causes and consequences of habitat fragmentation is critical to preserving biodiversity and ecosystem functioning. Connectivity among elevational and other gradients, between vegetation communities, and along north-south pathways is a mainstay for successful climate adaptation for plants and animals alike. The challenge is particularly severe in already depleted and fragmented landscapes, where future development or agriculture may foreclose connectivity options. Connectivity does not respect jurisdictional boundaries, and will take state, federal, local, and private partnerships with coordinated land protection strategies and acquisitions. Connectivity is one of the primary tools that species have to be resilient in the face of climate change.

In these challenges lies opportunity though. Landscape scale HCPs recognize threats to biodiversity in fragmented landscapes and are positioned to help mitigate these threats by re-establishing critical wildlife linkages and conserving large habitat patch areas linked to one another through protected wildlife corridors. HCPs have the capacity, in-perpetuity funding, and a focus on adaptive management to mitigate the effects of habitat fragmentation.

Roads unfortunately pose a significant threat to wildlife across North America. Roads serve as a direct barrier to movement, impeding the ability of wildlife to move safely to find food, water, and mates. Hundreds of millions of animals die because of wildlife-vehicle collisions on North American roads every year. As barriers to movement, roads can cause genetic isolation within populations, thereby contributing to biodiversity decline. Wildlife-related car accidents are also a danger to people, resulting in thousands of human fatalities every year.

Large-scale HCPs with our local, state, and federal partners, are identifying roads of critical concern for wildlife, conducting field research to better understand the issues at hand, and develop location-specific measures to address them. But we cannot do it alone. We also need the help of lawmakers at the state and federal level to craft policies designed to incentivize

greater investment in road crossings and other wildlife-friendly improvements, as well as to integrate these considerations into planning for new projects from the outset.

My agency, the Santa Clara Valley Habitat Agency, and others are working with Caltrans and California Highspeed Rail Authority (HSR) to build wildlife crossings into their respective project designs. Specifically, HSR will have a significant impact on wildlife movement across Santa Clara County. We are working with HSR to appropriately mitigate their project with one potential outcome being the construction of a land bridge across State Highway 152 in the Pacheco Pass area as well as construct of new or enhancement of existing undercrossings throughout the rail alignment benefiting endangered amphibians, Kit fox, mountain lion, elk, and American badger.

Another great example is the Interstate 90 wildlife crossings project through the Central Cascades. Since 2000, The Cascades Conservation Partnership and the I-90 Wildlife Bridges Coalition, led efforts to reconnect Washington's north and south Cascades by protecting and restoring habitat and establishing safe wildlife crossings under and over I-90. Two fully vegetated, 150-foot-wide overpasses are planned. Construction on the Keechelus Wildlife Overcrossing was completed in 2018, becoming Washington's first-ever wildlife bridge over a highway or freeway, and the largest wildlife overcrossing in North America. Construction has also been completed for numerous undercrossings benefiting elk, deer, salmonids, and wolverine.

My final example is Montana's U.S. Highway 93. A 56-mile stretch of U.S. Highway 93 has been redesigned to allow animal crossings over and under the existing road, facilitating the safety of both wildlife and motorists. The highway redesign came about as a means of preventing dangerous and sometimes lethal collisions between motorists and wildlife. The 56 miles of the redesigned Highway 93 now boasts 41 underpasses and overpasses. Species benefiting from these improvements include grizzly bear, elk, deer, mountain lion, moose, wolve, turtles, and amphibians.

Closing Remarks

Regional large-scale HCPs are federalism in action: local government is delegated federal and state permit implementation authority integrating federal and state permits into the local land use development review process. They are a negotiated agreement between local government, in some instances a state, and the federal government instituting permit conditions and conservation actions established for the stated purpose of project specific mitigation and covered species recovery. Regional HCPs foster a partnership between local government and the federal government, a shared vision so to speak, for conservation and economic development. Moreover, landscape scale regional HCPs have a strong track record in aiding infrastructure and other economic development, assisting federal, state, and local governments, and gaining support from the private sector and NGOs.

I hope my testimony presents a wide range of illustrative actions for sustainability and pathways for achieving them across and between sectors such as agriculture, forestry, marine systems, freshwater systems, urban areas, energy, finance, and many others. I believe it highlights the importance of, among others, adopting integrated management and cross-sectoral approaches like regional landscape scale HCPs that consider the trade-offs of food and energy production, infrastructure, freshwater and coastal management, and biodiversity conservation. Will striking these balances require substantial financial investment? Yes, but not nearly as much as losing the \$125 trillion worth of ecosystem services that experts estimate nature provides to us every year.



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May 25, 2021

The Honorable Alex Padilla
United States Senate
United States Capitol
Washington, DC 20510

Subject: Habitat Conservation Plans Support Biodiversity and Infrastructure Development

Dear Senator Padilla:

On behalf of the Western Riverside County Regional Conservation Authority (RCA), I want to thank you for your thoughtful engagement in the U.S. Senate Committee on Environment and Public Works' (EPW) hearing entitled "Examining Biodiversity Loss: Drivers, Impacts, and Potential Solutions." The RCA appreciates your recognition of the proposed Western Riverside County Wildlife Refuge (H.R. 972) and agrees with your observation that California is a global hotspot for biodiversity. Habitat Conservation Plans (HCP) across California, including the RCA, work every day to balance the need for species protection and land conservation with infrastructure and economic development. With the drafting of surface transportation reauthorization legislation underway, there is an opportunity to make a bold step in further accomplishing both goals.

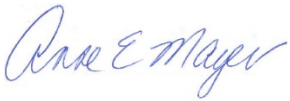
RCA proposes a pilot program to require that 25 percent of federal highway fund recipients be required to fulfill their Endangered Species Act (ESA) mitigation requirements by prioritizing use of existing permitted large-scale HCPs, where feasible. The proposed pilot program would allow the use of ESA Section 10 "incidental take" permits to recognize mitigation that occurs in HCPs outside of a given transportation project area or corresponding HCP boundary in which the project is located, provided that the mitigation is biologically equivalent or that unavoidable impacts are mitigated, and that the HCP utilized is within the same state. If enacted, this report language would incentivize widespread use of HCPs while facilitating sustainable infrastructure development needed to meet the challenges of the 21st century.

RCA commends EPW for exploring the critical issue of biodiversity loss. With the largest habitat conservation plan in the nation, the RCA is ready to partner with the state of California and the federal government in attaining President Biden's goal to conserve 30 percent of our lands and waters by 2030. As you know, large-scale HCPs such as ours and transportation infrastructure are inextricably linked. Your comments at the hearing pave the way for strengthened support of these successful programs.

The Honorable Alex Padilla
May 25, 2021
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I encourage you to give this proposal prompt consideration. If you wish to further discuss this solution to balance conservation with infrastructure, please contact me at (951) 787-7141.

Sincerely,

A handwritten signature in blue ink that reads "Anne E. Mayer". The signature is written in a cursive, flowing style.

Anne Mayer
Executive Director

CC: Chairman Tom Carper, U.S. Senate Committee on Environment and Public Works
Ranking Member Shelley Capito, U.S. Senate Committee on Environment and Public Works
Senator Dianne Feinstein
Representative Ken Calvert
Representative Mark Takano

AGENDA ITEM 9

PRESENTATION