

WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY

BOARD OF DIRECTORS MEETING MINUTES

Monday, July 12, 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 851 7288 2184, pursuant to Governor Newsom’s Executive Order N-29-20.

2. ROLL CALL

Board of Directors/Alternates Present

Karen Spiegel
Matt Rahn
Jeff Hewitt
Colleen Wallace
Julio Martinez
Jeff Cervantez
Tony Daddario
Linda Krupa
Natasha Johnson
Lesa Sobek

Kevin Bash
Erin Edwards
Maryann Edwards*

Board of Directors Absent

Kevin Jeffries
V. Manuel Perez
Larry Greene
Jocelyn Yow
Lorena Barajas
David Marquez
Jonathan Ingram
David Starr Rabb
Crystal Ruiz
Ben J. Benoit

*Arrived after the meeting was called to order.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Board Member Wallace.

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. CLOSED SESSION

At this time, Steve DeBaun, legal counsel, announced the Board will be going in to Closed Session to discuss the two items on the agenda.

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 CLOSE SESSION

There were no announcements 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).*

M/S/C (Krupa/Wallace) to approve the following Consent Calendar items.

7A. APPROVAL OF MINUTES – JUNE 7, 2021

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

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

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

David Knudsen, Legislative Affairs Manager, provided an update on state and federal legislative activities. The California State Legislature approved a \$262.6 billion budget proposal on June 28th, compromising with Governor Newsom on key topics such as economic stimulus and homelessness, among other issues. The legislature was able to reach the agreement just days before the start of the new fiscal year, and nearly two weeks after passing a place holder budget to meet the June 15th deadline. This newly approved budget meets the legal requirements to craft the spending plan by July 1st, but significant negotiations will continue. Key expenditures will likely be approved later this summer through budget trailer bills and junior bills. The legislature and the Governor have not decided how to spend billions of dollars to address the threat posed by wildfires and drought. The budget currently includes \$1 billion over seven years for wildfire prevention and \$3 billion to alleviate drought.

The Legislative Affairs team continues to advocate for RCA community project funding requests. Representative Takano was able to submit a \$3 million request to fund the Kevlar and Wolfskill Acquisition Project in May, unfortunately, the house appropriations sub-committee did not advance RCA’s request during the mark-up of the funding bill. However, on Friday the RCA learned that both Senators Feinstein and Padilla have submitted funding requests for the Wolfskill Acquisition Project to senate appropriations staff. Committee staff will now evaluate and determine if the requests will be submitted as part of the final appropriations bill. The requests are for the Bureau of Land Management, who is one of the eligible agencies to receive land acquisition funds. Senator Padilla requested \$4.2 million, and Senator Feinstein requested \$3 million.

The House Transportation and Infrastructure Committee approved the Invest in America Act, a comprehensive transportation bill. Working with Representative Calvert’s staff, the RCA Legislative Affairs team saw an opening in the Invest Act to add the Western Riverside County

Wildlife Refuge Bill as an amendment. Both bills aim at delivering infrastructure projects while meeting climate action policies.

On June 15th, a joint Press Enterprise op-ed, authored by Chair Johnson with RCTC Chair Jan Harnik and Representative Calvert, was published supporting Representative Calvert's bipartisan Refuge Bill. It makes the case that fixing bridges, alleviating traffic, addressing the housing shortage, and protecting the environment do not have to be conflicting priorities. The refuge bill was added to the Invest Act and passed off the House floor on June 30th. Legislative Staff took a comprehensive advocacy approach to get to this point: RCA provided its' support letter and position; staff worked behind the scenes with congressional staff; Senator Padilla referenced the importance of the Refuge Bill in the Senate's EPW Committee Hearing; a RCTC, RCA and Representative Calvert joint op-ed was published; and there was a robust social media effort that included tagging elected officials, agencies, and congressional committees.

At this time, Board Member M. Edwards joined the meeting.

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

Aaron Hake, Interim Regional Conservation Deputy Executive Director, provided a presentation on Joint Project Review (JPR). A JPR is detailed in Section 6.6.2 of Volume 1 of the MSHCP. The purpose of a JPR is to ensure that development and transportation projects in criteria cells are consistent with the MSHCP. The JPR provides a consistent method by which to evaluate projects and has an added streamlining benefit.

The steps in the JPR process are: the permittee works with the applicant to find the project is consistent with the MSHCP; the permittee sends a JPR application to the RCA to start coordination efforts, RCA then has 14 days to provide comments on the findings; RCA provides findings and sends documents to the Wildlife Agencies for their review; the Wildlife Agencies provide their findings pack to the permittee and the RCA within 10 days; finally the JPR is complete. If there is a disagreement in findings between reviewing entities, there is a meet and confirm process that is described in the MSHCP.

Currently, there are 11 JPRs in process, 3 public projects and 8 private projects. This year, the RCA has completed 13 JPRs, 3 public projects and 10 private projects.

Board Member Spiegel wanted clarification on whether the agency was able to turn someone down or if the RCA was only able to provide information. Mr. Hake clarified that if a project came to the RCA and it was clear it was not in line with the MSHCP, the findings documents would be very comprehensive and state whether the project was consistent or not. There have been times when the RCA has advised or suggested additional conditions of approval to comply with the plan.

Board Member Bash wanted to know if there was a way to add properties that were adjacent to the criteria cells in the MSHCP. Mr. Hake noted that the question would need to be deferred to legal counsel and would require some research.

Board Member M. Edwards noted that with the current protocols in place, developers have gone through the process locally, just to be denied by the RCA. The other more serious scenario that is possible, and has happened in the past, is a project is completely approved and finished by certain jurisdictions but hasn't been through the RCA process at all, resulting in fees to the developer. In these cases, it seems the best course of action would be to have the RCA completely manage that portion of local development, developer reporting, and fee collection, without giving away local control. In the past, there have been discussions to make RCA the oversight and collection agency for that part of the local development process, which should be seriously considered. Mr. Hake stated that one of the things the RCA is trying to do, is to be completely respectful and differential to the land use authorities and the decisions that the cities and the county want to make regarding the development in their communities. The way the MSHCP is currently structured limits RCA's ability to take over the process as suggested, though this could be a big picture discussion with the Board. Board Member M. Edwards asked that this discussion be brought back to the Board at a later date.

Anne Mayer, Executive Director, added that one of things that has been a focus in the transition during the listening sessions with city and county staff, as well as with developers, is hearing the examples where projects and the process didn't align, and challenges that arose. This leads to two different conversations that are both very important. The first is about the process, what has allowed a project to get all the way through without having been submitted to RCA, and where the break down occurred. The second conversation is related to fee collection, which is going to be discussed at the August Executive Committee.

10. BOARD OF DIRECTORS / EXECUTIVE DIRECTOR REPORT

Overview

Anne Mayer, Executive Director, reported that the Nexus Study Update has been fully implemented and approved, thanking all the city and county staff that made it possible, as well as the board members. RCA is now starting a process with member agency staff to review the implementation manual, as implementation starts and certain processes are flagged for improvement.

Board Member Martinez requested that an agenda item be brought forth to discuss the issue of pre-payment of fees and issues with consistency. The possibility of RCA directly collecting fees is something that should also be discussed.

Board Member Hewitt agreed and added that there are pre-payment issues that still need to be cleaned up and also protect member agencies from any issues.

Board Member Sobek asked that a status update agenda item on properties in the acquisition process be presented to the Board.

Chair Johnson noted that the next Board meeting on September 13th, will be in person with a hybrid option to begin to prepare for when in person meetings fully return.

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 1:21 p.m. 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.

Respectfully submitted,



Lisa Mobley
Administrative Services Manager/
Clerk of the Board