

WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY

BOARD OF DIRECTORS MEETING MINUTES

Monday, January 10, 2022

1. CALL TO ORDER

The Western Riverside County Regional Conservation Authority Board of Directors Meeting was called to order by Chair Natasha Johnson at 12:31 p.m., via Zoom Meeting ID 812 9651 4963, in accordance with AB 361 due to state or local officials recommending measures to promote social distancing.

2. ROLL CALL

Board of Directors/Alternates Present

Kevin Jeffries
Karen Spiegel
Chuck Washington*
Jeff Hewitt
Julio Martinez
Jeff Cervantez
Larry Greene
Clint Lorimore
Linda Krupa

Lorena Barajas Bisbee
Natasha Johnson
Lesa Sobek
Jonathan Ingram*
Kevin Bash
David Starr Rabb
Patricia Lock Dawson
Crystal Ruiz
Maryann Edwards

Board of Directors Absent

V. Manuel Perez
Colleen Wallace
Tony Daddario
David Marquez
Ben J. Benoit

*Arrived after the meeting was called to order.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Board Member Edwards.

4. PUBLIC COMMENTS

Lisa Mobley, Administrative Services Manager/Clerk of the Board, noted that communication was received from Susan Nash and she wanted to address the Board.

Susan Nash, President of the Friends of The Northern San Jacinto Valley, has consulted with representatives, and requests that the Board place on a subsequent open session agenda the acceptance of approximately 2,700 acres of habitat land from Highland Fairview, most of which is located within the MSHCP criteria area. It is critical for the sake of public transparency that the public be allowed to comment on this opportunity and that any deliberation or debate over the issue take place in the context of an open session of the RCA Board.

Iddo Benzeevi, Highland Fairview, expressed support for Ms. Nash's request that the donation for land conservation be considered at the next Board meeting in February.

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 (Ruiz/Sobek) to approve the following Consent Calendar items.

6A. AB 361 DETERMINATION

This item is for the Board to:

- 1) Reaffirm the findings in Resolution No. 2021-016, *"A Resolution of the Board of Directors of the Western Riverside County Regional Conservation Authority Authorizing Virtual Board and Committee Meetings Pursuant to AB 361"*. Those findings are as follows:
 - a. The Governor proclaimed a State of Emergency on March 4, 2020, related to the COVID-19 pandemic, which continues to exist today; and
 - b. State or local officials have recommended measures to promote social distancing.

6B. APPROVAL OF MINUTES – DECEMBER 6, 2021

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

6D. ADOPTION OF RESOLUTION NO. 2022-002 RELATED TO REVISED INVESTMENT POLICY

This item is for the Board of Directors to:

- 1) Approve the revised investment policy for the Western Riverside County Regional Conservation Authority (RCA); and
- 2) Adopt Resolution No. 2022-002, *"Resolution of the Board of Directors of the Western Riverside County Regional Conservation Authority Adopting a Statement of Investment Policy"*.

7. CLOSED SESSION

At this time, Steve DeBaun and Ward Simmons, legal counsel, announced the Board would be going in to Closed Session to discuss the two property items on the agenda.

7A. 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	407-050-001, 407-050-002, 407-050-003, 407-050-005, 407-050-006, 407-050-009, 407-070-023, & 407-070-024	M Family Estate	RCA
2	932-220-021 (portion)	Jensen	RCA

7B. REPORT OUT FROM CLOSED SESSION

There were no announcements from Closed Session.

8. RIGHT OF WAY POLICIES AND PROCEDURES MANUAL

At this time, Board Members Washington and Ingram joined the meeting.

Chair Johnson thanked staff for the in-depth review and the work that went into updating the Right of Way Manual.

Hector Casillas, Right of Way Manager, provided a presentation on the updated Right of Way Policies and Procedures Manual. Prior to RCTC assuming management of RCA, each agency followed its own policies and procedures pertaining to Right of Way. This agenda item is another element in fulfilling the objective of agency consolidation, streamlining procedures, and increasing the professionalism of RCA functions.

The RCTC Right of Way Manual has had three previous revisions. The policy and procedures manual follows the Caltrans Right of Way manual and complies with the Federal Highway Administration policies and procedures. RCA's Land Acquisition Policy has been adopted 12 separate times by the RCA Board. The policies comply and are consistent with the MSHCP. RCTC's Right of Way Manual and RCA's Land Acquisition Policy have been combined and updated to serve both agencies.

The Right of Way Policy and Procedures Manual was updated over the course of a year, taking both agencies' policies and procedures into account to develop a fully updated and combined policies and procedures manual to serve both agencies. Given the nature of the Right of Way staff work, only 7 of the 13 chapters of the updated manual apply to RCA. Chapter 13 is specific to RCA and includes the latest policies that were adopted by the RCA Board on September 14, 2020.

Since Right of Way has now managed RCA's acquisitions for an entire year, staff added additional items to Chapter 13 to efficiently acquire property. The additions include administrative settlements, changes to the appraisal sharing policy, and the process for grant funded properties.

Administrative settlements changes would allow staff to negotiate and propose a settlement to address any differences between the RCA appraisal and the property owner's evaluation. The Board would continue to be the ultimate decision maker for any administrative settlements and would need to approve the settlement.

The appraisal sharing policy was also changed. Currently only a summary statement is shared with each offer, however, several property owners have requested a full copy of the appraisal before accepting an offer. In the event this trend continues to occur, staff would like to provide discretion to the Executive Director, but only when another public agency or grant funds are involved.

The final change was regarding grant funded properties. About a third of the work done by Right of Way staff is related to grant funded property acquisitions. With that in mind, it was important to outline the process for securing a grant funded property for Right of Staff to follow.

Staff is requesting the Board adopt Resolution No. 2022-001. If approved, staff will take similar steps with the RCTC Board, in the hopes of receiving adoption at the February 9, 2022, Commission Meeting. This updated policies and procedures manual would ensure that real estate matters using public funds are conducted in a professional, ethical, and consistent manner that protects both agencies.

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

This item is for the Board of Directors to adopt Resolution No. 2022-001, "*Resolution of the Western Riverside County Regional Conservation Authority Approving and Adopting the RCTC/RCA Right of Way Policies and Procedures Manual.*"

9. 2022 STATE AND FEDERAL PLATFORM AND LEGISLATIVE UPDATE

Tyler Madary, Senior Management Analyst, Legislative Affairs, provided an update on state and federal legislative actions. Earlier today, Governor Newsom unveiled his proposed Fiscal Year 2022/2023 Budget, the \$286.4 billion proposal will kick off the season of budget negotiations. The Legislative Affairs team will closely review the proposal and provide an update to the Board next month.

The Board adopted the first Legislative Platform at the beginning of 2021, as part of the new legislative strategy for RCA. Each year, staff will be providing the Board with the opportunity to adjust the platform to meet current legislative policy goals. The Legislative Platform serves as a framework for policy positions that the RCA may take on various pieces of legislation, administrative policies, or regulations, and address broad items that are critical in both Sacramento and DC. The platform positions allow RCA staff, Board Members, and lobbyists to communicate in a timely, effective manner with state and federal elected officials and agencies to advance the MSHCP as issues arise.

Some actions that the Legislative Affairs team were able to take this past year, based on the Board adopted 2021 Legislative Platform include: promote the proposed Wildlife Refuge through an op-ed with Representative Calvert in the Press Enterprise, as well as comments provided by Senator Padilla during the Senate's Environment and Public Works informational hearing on biodiversity; submitted 6 federal earmark requests, 2 of which were submitted to the appropriations committee; submitted 2 state funding requests; pivoted the funding strategy toward the state budget after the proposed Climate Resiliency Bond Measure stalled; engaged the State and Federal Wildlife Agency regarding regulatory challenges; became a leading participant in the state coalition; identified the administrative process that allowed the RCA to pursue a one-year extension to the Jurupa Mountain Grant; and provided oral and written comments to state agencies drafting climate action and conservation strategies.

Building on the Board adopted 2021 platform, the Proposed 2022 Legislative Platform takes into consideration emerging policies at the state and federal levels. The recommended changes and additions to the platform reflect practical lessons from the past year, as well as the need to promote Habitat Conservation Plans (HCPs) and Natural Community Conservation Planning (NCCPs) as shelf-ready, nature-based solutions that will help fulfill state and federal climate action and conservation initiatives.

Innovative policy positions that have been added to the draft platform are: pursue opportunities for collaboration with state and federal agencies to allow the RCA to claim full or partial credit for individual Additional Reserve Land (ARL) acquisitions; propose an increase in the frequency of meetings held by the Wildlife Conservation Board to facilitate more timely grant approvals; propose support for a pilot funding program that would require partial mitigation via HCPs and on a limited basis, allowing for infrastructure projects using that funding to pursue mitigation in any HCP within that state or region, as long as the land to be considered is biologically equivalent; and propose support for state and federal policies and funding that incentivize the development of wildlife crossings in HCPs and NCCPs.

The Proposed 2022 State and Federal Legislative Platform is included in the agenda packet, along with the redlined document to show the changes from the adopted 2021 version.

M/S/C (Lock Dawson/Barajas Bisbee) to:

This item is for the Board of Directors to:

- 1) Adopt the 2022 State and Federal Legislative Platform for Western Riverside County Regional Conservation Authority (RCA); and**
- 2) Receive and file an update on state and federal legislation.**

10. APPOINTMENT OF EXECUTIVE COMMITTEE MEMBERS

Chair Johnson announced that the current Executive Committee members have agreed to continue serving for another term. The Executive Committee includes Board Member Hewitt as

the Vice Chair, Board Member Sobek, Board Member Ingram as the Past Chair, Board Member Bash, Board Member Ruiz, and Board Member Jefferies.

M/S/C (Lorimore/Greene) to ratify the appointments to the Executive Committee.

11. BOARD OF DIRECTORS / EXECUTIVE DIRECTOR REPORT

Board Member Hewitt requested that the issue brought up during public comment be placed on the next agenda to have a public debate. Board Member Sobek seconded the request.

Anne Mayer, Executive Director, provided an update on the year in review and the results of the survey that was sent to Board Members. Many of the key objectives that were established by the Board for the first year, and all the planned transition goals have been met. Staff has focused on completing the MSHCP; improving communication and outreach; maximizing funding opportunities; and consolidating contracts for cost efficiency. Not only has staff been able to achieve the objectives set out by the Board for the first year, but they have also been able to move some other policy items forward. To that end, there is still a great deal of work left to do.

Ms. Mayer shared a presentation with the survey results that was completed by 30% of Board Members.

Question 1: What is your top desire for the RCA for the coming year. The top two answers were: acquire more habitat to fulfill RCA's obligations and expand communication and public/stakeholder engagement.

Question 2: If budgetary resources are available, what enhancements to current RCA activities would you prioritize (Choose up to 3). The top answer was increased advocacy (lobbying) for state and federal legislation in support of the MSHCP. The next top responses were acquiring more habitat to protect MSHCP covered species, enhance assistance to city/county staff as they implement their MSHCP obligations, and creating a plan to promote responsible recreation in RCA lands.

Question 3: Top concern about the MSHCP. The top answer was RCA has acquired less than half of the habitat necessary to fulfill the local obligation under the MSHCP.

Question 4: What are the best ways for you to learn more about the MSHCP (choose up to 3). The top response was a tour of RCA lands. The next top response was "Species of the Month" and "Getting to Know the MSHCP" presentations at Board meetings.

Question 5: Would you be willing to have MSHCP advocacy conversations with your state or federal legislator. The top response with 92.32% was yes.

Question 6: One word I would use to describe the RCA and/or the MSHCP. Responses included necessary, protective, vital, unfinished, unknown, and cumbersome.

Board Member Edwards liked that the RCA was going to be more active in Sacramento and Washington and stressed the need to not only work with our representatives but also those who are the heads of committee. Habitat conservation crosses the aisle unlike most issues in Sacramento, both parties would have an interest in the efficiency and the necessity for conservation with Riverside County leading the way.

Board Member Sobek noted her pleasure with the direction RCTC has taken the RCA, and for the work completed this last year.

Chair Johnson noted that this survey was a great opportunity, and it was also done in the past to really understand what is important to the Board while having a discussion and getting work done. The survey also helps staff understand where the Board wants to go, not just what needs to be done right now. The first year of this management transition there was a very long list of things to get done, and staff did a great job completing the tasks. This survey was an elevated approach to have a very charted journey. If a Board Member couldn't respond to the survey, they are encouraged to provide feedback.

12. PRESENTATION – SPECIES OF THE MONTH

Tricia Campbell, Reserve Management and Monitoring Manager, introduced Leslie Levy, a new addition to the team at RCA.

Leslie Levy, Senior Management Analyst Management and Monitoring, provided a presentation on the species of the month, the Golden Eagle.

Board Member Edwards wanted to know how many mating pairs or nest sites there were within the RCA designated cells or in the mountain ranges in Riverside County. Ms. Campbell wasn't sure how many pairs there were as there have been issues with the number of breeding pairs declining. Some of the nest sites are historical, but they are a historical nesting species. There tend to be more sightings of the species during migration and overwintering rather than breeding.

Board Member Spiegel noted that as the goal for the species has not been met, is that something that can only be improved on by expanding acreage or is it something the RCA has no control over. Ms. Levy stated providing as much suitable habitat as possible, makes more areas available for nesting and prevents any impact to known nests, helping to contribute to successful reproduction for the species.

Board Member Sobek wanted to know with the monitoring that is done every 8 years, when this species be monitored again. Ms. Campbell explained the way the 8 years works, is when there is work being done in a certain area of the plan, the RCA will include the area for a lot of species. RCA doesn't use just one year to check all the sites, sometimes it is scattered across years, but each site is documented, and it is known how long it's been since it was last checked.

Board Member Sobek asked if the declining numbers were a concern to the RCA. Ms. Campbell stated that it is easier to conserve the foraging habitat and it is much more difficult to make the eagles begin nesting near some of the historical nesting sites that are no longer being used. It can be accomplished by re-introduction to a historical nest area, but at this point the RCA and the Wildlife Refuge are not concerned, but could be in the future.

13. 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 1:34 p.m. The next meeting of the Board of Directors is scheduled to be held on **Monday, February 7, 2022.**

Respectfully submitted,

A handwritten signature in cursive script, appearing to read 'Lisa Mobley', with a horizontal line extending to the right.

Lisa Mobley
Administrative Services Manager/
Clerk of the Board