

# **WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY**

## **BOARD OF DIRECTORS MEETING MINUTES**

**Monday, September 12, 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 883 8641 3791, 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  
Colleen Wallace  
Julio Martinez  
Jeff Cervantez  
Larry Greene  
Tony Daddario  
Joe Males\*  
Lorena Barajas Bisbee

Natasha Johnson  
Lesia Sobek  
David Marquez  
Jonathan Ingram  
Kevin Bash  
David Starr Rabb  
Patricia Lock Dawson  
Crystal Ruiz  
Maryann Edwards  
Ben J. Benoit

#### **Board of Directors Absent**

V. Manuel Perez  
Jeff Hewitt  
Clint Lorimore

\*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**

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 (Greene/Barajas Bisbee) to approve the following Consent Calendar items.**

**6A. AB 361 DETERMINATION**

- 1) Reaffirm the findings in Resolution No. 2022-003, *“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”*. The 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 – JUNE 6, 2022**

**6C. WESTERN RIVERSIDE COUNTY MULTIPLE SPECIES HABITAT CONSERVATION PLAN FEE COLLECTION REPORTS FOR APRIL, MAY, AND JUNE 2022**

This item is for the Board of Directors to receive and file the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Fee Collection Reports for April, May, and June 2022.

**6D. ACQUISITIONS STATUS REPORT**

This item is for the Board of Directors to receive and file the acquisitions status report as of June 30, 2022.

**6E. JOINT PROJECT REVIEW STATUS REPORT**

This item is for the Board of Directors to receive and file the Joint Project Review (JPR) monthly status report as of July 31, 2022.

**6F. QUARTERLY PUBLIC ENGAGEMENT METRICS REPORT, APRIL-JUNE 2022**

This item is for the Board of Directors to receive and file report summarizing the Quarterly Public Engagement Metrics.

**6G. SINGLE SIGNATURE AUTHORITY REPORT**

This item is for the Board of Directors to receive and file the Single Signature Authority report for the fourth quarter ended June 30, 2022.

**6H. ADOPT RESOLUTION NO. 2022-007 RELATED TO DELEGATION OF AUTHORITY TO SIGN INSTRUMENTS ON BEHALF OF THE EXECUTIVE DIRECTOR IN THE EXECUTIVE DIRECTOR’S ABSENCE**

- 1) Approve the delegation of authority to sign instruments on behalf of the Executive Director in the Executive Director’s absence; and

- 2) Adopt Resolution No. 2022-007, “Resolution of the Board of Directors of the Western Riverside County Regional Conservation Authority Delegating Authority to Sign Instruments on Behalf of the Executive Director in the Executive Director’s Absence”.

**6I. CONSULTANT REPORTS – FISCAL YEAR 2022 FOURTH QUARTER**

This item is for the Board of Directors to receive and file the consultant reports for Fiscal Year 2022 Fourth Quarter.

**7. CLOSED SESSION**

At this time, Steve DeBaun, legal counsel, announced the Board would be going in to Closed Session to discuss the 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	571-070-022	John W. German, Brenan German, and Jason German	RCA
2	915-480-007	Myrna P. Alzaga	RCA
3	174-030-031, 174-030-001, & 174-420-014	Jurupa Area Recreation and Parks District	RCA
4	470-070-042	Jean McIver, as Trustee of the Jean McIver Trust, dated May 23, 2019	RCA
5	346-100-003, 346-100-004, 346-250-007, 346-250-020, & 346-250-021 (portions)	Rancho Cardenas, LLC	RCA
6	363-020-004, 363-020-005, 363-020-006, & 363-020-007	Raymond A Evans and Michael J. Krause	RCA
7	940-090-010	Temecula West Village, LLC, a Delaware limited liability company	RCA
8	932-200-012 & 932-200-014 (portions)	Wayne E. Elder II and Carol L. Elder, Trustees of the Elder Family Trust dated 09/23/2004	RCA
9	933-040-014	Wacker Children Investment Corporation	RCA

**7B. REPORT OUT FROM CLOSED SESSION**

Mr. DeBaun reported out on the following closed session items:

- Item 1: Acquisition of the property was approved for \$264,000.
- Item 2: Acquisition of the property was approved for \$300,000.
- Item 6: Acquisition of the property was approved for \$1,112,000.

## **8. STATE AND FEDERAL LEGISLATIVE UPDATE**

Tyler Madary, Legislative Affairs Manager, provided an update on state and federal legislative actions. Governor Newsom and legislative leaders agreed to a record \$300 billion budget before the start of the new fiscal year. Approximately \$400 million has been allocated to the Wildlife Conservation Board (WCB) from which RCA will be able to compete for project funding. As with previous budget cycles, legislators continue to negotiate outstanding budget details past the June 15<sup>th</sup> deadline, to be incorporated into budget trailer bills that implement the topline spending programs per agency and budget bills juniors that amended the budget act.

Of the approximately \$400 million allocated to WCB, \$150 million was recently sub-allocated for nature-based solution grant programs with 40% of these funds reserved for projects and programs adjacent to or directly benefitting climate vulnerable communities, disadvantaged communities, and California Native American tribes. Staff will monitor the development of these grant program guidelines for additional opportunities for RCA to compete for funding, if qualified. The budget also includes a \$36 million carve out in funding to the California Department of Fish and Wildlife, especially for Habitat Conservation Programs (HCPs) and Natural Community Conservation Plans (NCCP) land acquisition. Conservation programs have not seen one-time funding increases like this in years.

Senator Feinstein has unveiled S. 4669, the Western Riverside National Wildlife Refuge Act. This bill, co-sponsored by Senator Padilla, would set an acquisition boundary in which a new Wildlife Refuge may be created in Western Riverside County. The bill would designate it as an Urban Wildlife Refuge, which would allow for U.S. Fish and Wildlife (USFWS) to engage communities to increase access to nature, enhance recreation opportunities, and provide greater research opportunities. This follows a year and a half of direct engagement between RCA staff, RCA legislative advocates, the offices of Senator Feinstein and Representative Calvert, stakeholders, and USFWS. RCA staff and legislative advocates have worked tirelessly to encourage progress, facilitate discussion with stakeholders, and ensure that the structure of the legislation would support the continued implementation of the MSHCP.

To this point, S. 4669 includes language that calls for the USFWS to prioritize acquisition within criteria cells so the federal government may expedite the fulfillment of their commitment to acquire 28,000 acres of Additional Reserve Land (ARL) in the MSHCP. This benefit is central to RCA's effort to advocate for the establishment of the National Wildlife Refuge in Western Riverside County. S. 4669 builds on Representative Calvert's tireless work to establish a wildlife refuge through his bill H.R. 972 and improves the chances of establishing a wildlife refuge in Western Riverside County by creating a legislative vehicle in the Senate. As with most bicameral legislative efforts, the language is not identical and there is an open process to reconcile differences. As conversations continue, RCA staff looks forward to the house and senate coming together with stakeholders to settle on the ultimate legislative vehicle that will establish a wildlife refuge and allow the federal government to meet its' commitment to the MSHCP.

H.R. 972 by Representative Calvert would set a process to establish a refuge anywhere within the MSHCP. S. 4669 would establish a similar process but narrow the geographic scope by setting an acquisition boundary in which a new refuge may be established. Mr. Madary shared a slide showing the acquisition boundary that Senator Feinstein has proposed in S. 4669.

Stakeholders continue to express support for the establishment of a wildlife refuge. Last month, the Hispanic Access Foundation and Defenders of Wildlife ran an ad on page 3 of the LA Times, thanking Senator Padilla, Senator Feinstein, and the delegation for their efforts toward a wildlife refuge.

Staff recommends the RCA adopt a support position for S. 4669 by Senator Feinstein, as the Board did for H.R. 972 by Representative Calvert on April 5, 2021. Support for this legislation is in alignment with the adopted 2022 State and Federal Legislative Platform, particularly in two provisions: to support the efforts by state and federal governments to meet the land conservation requirements as initially intended by the MSHCP, and to support establishment of the Western Riverside County National Wildlife Refuge to expand partnership with USFWS and thereby provide for public recreational access. Staff will continue to closely follow the efforts to establish a wildlife refuge in western Riverside County, and keep the Board apprised of opportunities to advocate and engage.

Board Member Jeffries stated that certain federal land designations prohibit certain firefighting activities to occur. No bulldozers are allowed on certain federally designated lands and air tanker use is also restricted. There have been fires where under federal jurisdiction, firefighters had to wait until the fire blew off federal lands and territories to be able to engage and fight the fire. Board Member Jeffries wanted to know if staff knew what designation would be used and if there would be similar prohibitions. Mr. Madary stated that question would be researched with the USFWS to get confirmation.

Board Member Jeffries also noted that the map shown had a small sliver down between Menifee and Highway 74 in Canyon Lake, where there is a proposed extension of Ethanac Corridor. If that property were to become designated land, that road might not be able to be completed in the future. Mr. Madary stated that the understanding is that it would not preclude the extension, but the project would be researched specifically.

Board Member Jeffries added that it is possible the area he is looking at is Railroad Canyon, in which case this would not be an issue. Board Member Ingram confirmed the area was Railroad Canyon.

Board Member Edwards stated that her questions were the same as Board Member Jeffries but were generally more to see what restrictions would be imposed. Recently, after talking with firefighters it was apparent that without the use of tankers and the ability to use bulldozers at the fire site, the fire would have had the potential to spread to San Diego County. If there end up being restrictions to fire and transportation corridors, there is a possibility there could be other restrictions as well.

Mr. Madary noted that boundaries that are shown on the map are proposed acquisition boundaries and not what the final refuge would look like. Until a refuge is established none of the lands would be impacted.

Board Member Edwards wanted to know if this was a case where the bill had to be passed, so everyone would know what was in it. Mr. Madary stated that no, it must be implemented. The map is what is proposed, but the bill would authorize the USFWS to acquire lands in those proposed areas. Ultimately, it is up to the USFWS where they would prioritize their acquisitions either by making purchases, working with federal agencies for transfers of land, or collaborating with RCA to transfer land.

Board Member Spiegel noted that the water districts are looking at expanding and wanted to know if there has been a conversation with them to see where they are at with this refuge, as her understanding is they do not view this favorably. Mr. Madary stated that his understanding was that discussions have taken place between the author's office and the water districts in the area. While not able to speak to the opinions of the water district, they have not taken a stand on this bill yet.

Board Member Ingram stated that this was the elephant in the room, as it has been reviewed over the last 5 years. There should be some historical documents at RCA with respect to the meetings that were attended in Washington about modifying the permit due to the multitude of restrictions. The restrictions included one where municipalities would be responsible for any damage that was caused in the wildlife areas, but there were some exemptions for fire, mudslide, or flood. Mr. Madary thanked Board Member Ingram for sharing and stated staff would investigate the historical information.

Chair Johnson wanted to clarify that the RCA Board had supported Representative Calvert's bill which was directly related to this bill, and clarity on how the two parallel each other.

At this time, Board Member Males joined the meeting.

Aaron Hake, Deputy Executive Director, noted that the Calvert and Feinstein bill essentially do the same thing, authorizing the USFWS to establish a national wildlife refuge so that they can begin acquiring property subject to the budget capacity. The main difference between the Calvert bill, which the Board has already supported, is that the Feinstein bill has a map attached that constrains where the USFWS can acquire property. The Calvert bill did not have a map, and instead allowed the USFWS to acquire land anywhere in the MSHCP.

Chair Johnson stated that with the map labeling the areas, RCA needs assurance that there will be an open process and the Board can be comfortable, as the Board has already taken a position to support Calvert's bill, they almost have to support Feinstein's bill. Mr. Hake noted that this was correct, and the process to establish a refuge, assuming this bill passes, would have to be led by the Department of the Interior and would most likely be required to go through National Environmental Policy Act (NEPA). The NEPA process would require public participation and input before it could be established. Where the USFWS chooses to acquire property would

be based on their ability to manage, and they are not interested in acquiring property that would be difficult to manage or have infrastructure issues.

Board Member Edwards recalled from Executive Committee that the Board had expressed concerns with California having federal grant monies for this purpose but did not guarantee that those funds would be awarded. It should be reviewed to see if there is any kind of federal mandate that the monies be distributed appropriately.

Board Member Washington wanted some clarification on whether the Feinstein bill added additional restrictions to the refuge that didn't exist in Calvert's bill. Mr. Hake stated that was correct, the Feinstein bill limits where the USFWS can acquire land for the refuge. The Calvert bill leaves the discretion more broadly to the Secretary of the Interior to anywhere within the MSHCP area.

Board Member Washington also noted that since the inception of the MSHCP, RCA has understood there would be a partnership between Riverside County and the federal government, to date the federal government has not done anything to meet that commitment. This bill would give them an avenue or mechanism to participate in acquiring habitat lands. Mr. Hake confirmed that was correct. There are some grant funds that RCA receives from time to time, but this bill would establish a vehicle through which the federal government can budget funds to acquire the property needed to meet the MSHCP goal.

Board Member Ingram noted that there are different kinds of funding available and there are multiple HCPs that will be vying for those funds. Around one-third of the land needed to complete the MSHCP was supposed to come from funding provided by the federal government, one-third from the state, and the remaining one-third from the county. The next big thing is how RCA will fund the endowment for these lands.

Lisa Mobley, Administrative Services Director/Clerk of the Board, noted that written public comment was received from Dan Silver and Lander Karath.

Monica Goldberg, Vice President of Landscape Conservation at Defenders of Wildlife, expressed support and hope that the Board would endorse this legislation for the reasons already articulated.

Chair Johnson added that all the concerns of the Board Members were heard and will be reported back by staff as the information is received.

**M/S/C (Washington/Ingram) to:**

**Abstain: Males**

- 1) Receive and file an update on state and federal legislative affairs; and**
- 2) Adopt the following bill positions:**
  - a. S. 4669 (Feinstein) – Support.**

## 9. UPDATE ON WILDFIRE IMPACTS

Tricia Campbell, Regional Conservation Deputy Director, provided an update on the wildfire impacts. RCA staff has been in close communication with Cal Fire on what their needs are and have been supportive of their efforts. At the conclusion of the incident, RCA staff will be following up with Cal Fire on lessons learned and any collaboration that should be occurring.

Board Member Edwards noted that she was at the base camp most of yesterday and encouraged other Board Members to visit as the firefighters will be there at least the next week finishing the clean-up.

Chair Johnson agreed that from previous experience, visiting an EOC for an event this size is impressive, and the first responders always appreciate it.

Board Member Sobek wanted to know if there was anything to report on the RCA lands regarding this fire. Ms. Campbell shared a map that showed the fire boundaries, about 6,300 acres of RCA lands and about 16,000 acres of other MSHCP reserve lands have been affected. Later this week, staff will be going out to some RCA lands to see what needs to be done to help with erosion.

Anne Mayer, Executive Director, emphasized that there has been close coordination with Cal Fire, RCA, and County Parks, resulting in excellent work in the field. The lessons learned meeting will focus on what could be done better next time, but also what RCA can do to put opportunities in place to work proactively.

Board Member Washington stated that he had toured the fire areas twice last week with the Riverside County Fire Chief and was amazed with the coordination. RCA should also have a relationship with the County of Riverside Emergency Management Department, it could be the central point that connects RCA with these types of events.

Ms. Mayer thanked Board Member Washington for the excellent suggestion. The RCTC side of the house has communicated in the past with emergency command for transportation issues.

**This item is for the Board of Directors to receive an oral update on recent wildfire impacts to RCA land.**

## 10. PRESENTATION – GETTING TO KNOW THE MSHCP or SPECIES OF THE MONTH

Betsy Dionne, Senior Management Analyst Management and Monitoring, provided a presentation on the species, the Burrowing Owl.

Board Member Sobek thanked staff for the great explanation of the species. This species brings a lot of questions from the public and developers, so the thorough presentation is appreciated.

At this time, Board Member Starr Rabb left the meeting.

#### **11. BOARD OF DIRECTORS / EXECUTIVE DIRECTOR REPORT**

Board Member Bash stated that he was impressed with the animal evacuation coordination that occurred because of the fires.

Chair Johnson reminded the Board Members the RCA meetings would be back to in-person starting in October.

Also, the next Stakeholders Meeting will be October 19<sup>th</sup>. RCA staff has reached out to the Stakeholders who are submitting topics to consider for the agenda. Board Members are asked to submit any agenda items they would like for the Stakeholders Committee to review and provide input. Board Members are asked to email any idea to the Chair or Clerk of the Board.

Anne Mayer, Executive Director, stated there was nothing further to report, but looked forward to seeing everyone in-person in October.

#### **12. 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 1:37 p.m. The next meeting of the Board of Directors is scheduled to be held on **Monday, October 3, 2022**.

Respectfully submitted,



Lisa Mobley  
Administrative Services Manager/  
Clerk of the Board