

WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY

EXECUTIVE COMMITTEE MINUTES

Wednesday, January 18, 2023

1. CALL TO ORDER

The meeting of the Executive Committee was called to order by Chair Natasha Johnson at 12:02 p.m., via Zoom Meeting ID: 869 2955 2645, in accordance with AB 361 due to state or local officials recommending measures to promote social distancing.

2. ROLL CALL

Members/Alternates Present

Karen Spiegel*
Natasha Johnson
Kevin Bash
Steve Hemenway
Crystal Ruiz

Members Absent

Kevin Jeffries
James Stewart

*Arrived after the meeting was called to order.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Chair Johnson.

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

Abstain: Hemenway (Agenda Item 6A)

6A. APPROVAL OF MINUTES – DECEMBER 21, 2022

6B. WESTERN RIVERSIDE COUNTY MULTIPLE SPECIES HABITAT CONSERVATION PLAN FEE COLLECTION REPORT FOR NOVEMBER 2022

- 1) Receive and file the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Fee Collection Report for November 2022.

6C. JOINT PROJECT REVIEW STATUS REPORT

- 1) Receive and file the Joint Project Review (JPR) monthly status report as of December 31, 2022.

6D. ACQUISITIONS STATUS REPORT

- 1) Receive and file the acquisition status report as of November 30, 2022.

6E. MONTHLY INVESTMENT REPORT FOR OCTOBER 2022

- 1) Receive and file the Monthly Investment Report for the month ended October 31, 2022.

6F. SINGLE SIGNATURE AUTHORITY REPORT

- 1) Receive and file the Single Signature Authority report for the second quarter ended December 31, 2022.

7. MSHCP MITIGATION FEE IMPLEMENTATION MANUAL UPDATE

Jennifer Fuller, Financial Administration Manager, provided a presentation on the MSHCP Mitigation Fee Implementation Manual update. The Board adopted the manual to provide member agencies with further guidance for fee implementation, collection and remittance, to outline the appropriate methods for calculating mitigation payments for different types of projects, and to provide multiple examples of how to apply the Local Development Mitigation Fee (LDMF). The intent of the manual is to provide clarity and create consistency. The manual does not supersede member agencies ordinances or resolutions and it intended to be an administrative document to help jurisdictions implement the fee.

This update will be the third to the manual. The manual was originally adopted on December 7, 2020, with the 2020 Nexus Study. In September 2021, the Board adopted an urgent update to the manual to address a fairness and equity concern about the current ordinances lack of exemptions for room additions and renovations. In February 2022, the Board adopted a full manual update after RCA staff spent time reviewing the manual with member agencies staff. Reference chapters were included, appendices were added as well as a discussion on regional impacts, and updated definitions.

At this time, Board Member Spiegel arrived.

Several changes have been made to the manual in this update. To assist member agencies, infrastructure projects were separated into two categories: road projects and linear projects. A linear project would be anything that member agencies construct that is linear in design, like a pipeline project. Earlier this year, a transportation agency began construction on a public transit facility, of which they received Measure A to partially fund the facility. As with the calculation for member agency road projects, public transit agencies will be able to exclude the percentage of the project funded by Measure A from the calculation for MSHCP fees due as the RCA has already received its' share of Measure A funding. Member agencies should reach out to RCA staff for assistance with this calculation.

The County of Riverside has asked that RCA update the definition of Accessory Dwelling Units (ADUs) to include second units as these types of units have a separate definition in the County Ordinance. A few cross-references were updated, and minor corrections and grammar changes were also made.

Member agencies are encouraged to reach out whenever there are any fee questions. Upcoming dates for RCA staff to complete member agency outreach include February 2023, after the Board adoption of the manual update. RCA staff will communication with member agencies about the update and the updated manual will be available on the RCA website. In late March or early April 2023, RCA staff will communicate the Fiscal Year 2024 fee structure to member agencies based on CPI increases for the year. The amount of the CPI increase will not be available until February from the Bureau of Labor and Statistics.

RCA staff is currently developing fee training for member agencies based on the fee manual and numerous questions that have been received. Once the training is finalized, member agencies will be contacted to see if they are interested in participating.

Chair Johnson noted that something that has worked well is sending this information to all agencies and expanding the distribution list to include more staff. This helps to make sure there is more awareness, and that the information can be disseminated effectively.

Board Member Spiegel wanted to know how often the manual is updated. Ms. Fuller stated that the manual is updated on an as needed basis. This just happens to be the second time the manual has been brought to the Board in February. Last year, there was a major overhaul to the manual after meeting with a committee comprised of member agencies staff. If additional questions arise from the fee training for member agencies later this year, there may be more updates in February next year, as well.

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

- 1) Approve the update to the Multiple Species Habitat Conservation Plan (MSHCP) Mitigation Fee Implementation Manual.**

8. STATE AND FEDERAL LEGISLATIVE UPDATE

Tyler Madary, Legislative Affairs Manager, provided an update on state and federal legislative actions. Last week, Governor Newsom released a budget proposal for Fiscal Year 2023/24, totaling more than \$297 billion, which is 3.5% lower than last years. Following the budget surpluses of past years, the Governor confirmed the previous reports of a projected deficit of about \$22.5 billion. The proposal calls for funding delays, reductions, and shifts in order to balance the budget. The funding shifts are proposed in place of using budget reserves, which the Governor indicated may be needed if there is a greater budget downturn in future budget years.

The Governor has proposed a reduction of the five-year \$54 billion climate package to \$48 billion. While it has been proposed to restore many of the cuts if the general fund outlook improves come January 2024, it remains to be seen. Of the climate investments from the last budget, RCA is particularly interested in the Climate Resiliency and Nature Based Solutions to Climate Change as this category included investments beneficial to the MSHCP. The Governor proposed a 14% cut to this multi-year spending down to \$1.3 billion.

Of note, the \$36 million dedicated to the California Department of Fish and Wildlife (CDFW) for Habitat Conservation Plans (HCP) and Natural Community Conservation Plans (NCCP) land acquisitions has been proposed to be cut by \$6 million, to \$30 million. Fortunately, the Governor has not proposed any changes to the \$250 million dedicated to the Wildlife Conservation Board to advance the state's goal to conserve 30% of lands and coastal waters by 2030 (30x30).

Regardless, RCA staff intends to advocate for the preservation of these investments as they are critical for RCA's grant opportunities to fund land acquisitions in Western Riverside County. Lastly, the Governor expressed openness to a Natural Resources Bond Measure. RCA staff will monitor these legislative discussions and advocate for dedicated funding for HCPs and NCCPs as appropriate.

On the federal side, congress passed a \$1.7 trillion federal appropriations bill for Fiscal Year 2023 in December, funding the federal government through September 2023. Legislation by Senator Dianne Feinstein and Representative Ken Calvert to establish a wildlife refuge in western Riverside County did not receive approval during the 117th Congressional Session. RCA staff will continue to engage members of Congress, tribal partners, and relevant stakeholders to explore other opportunities during the 118th Congressional Session. RCA staff will monitor the dynamics of the divided Congress for opportunities to present the project delivery streamlining and conservation benefits of HCPs as a policy area of common ground.

Chair Johnson shared that a recent meeting, the guest speaker was Carina Tamayo, Inland Empire Deputy Director for External Affairs for the Governor's Office, who spoke about the wildfire forest resilience for which \$2.7 billion was allocated. RCA should ask for some clarity on this allocation and see how to be involved with the process.

1) Receive and file an update on state and federal legislative affairs.

9. EXECUTIVE COMMITTEE MEETING OPTIONS

Chair Johnson shared with the Executive Committee that RCA is trying to be efficient with Board Member's time and ensure that the Committee has the right direction and purpose.

Lisa Mobley, Administrative Services Director/Clerk of the Board, noted at the last Executive Committee meeting, staff was directed to bring a recommendation back to the Committee that would streamline the Executive Committee process. As such, there are two recommendations for the Committee.

RCA staff recommends defining and streamlining the scope of Committee topics. The recommendation is that the scope of these items be limited to budget, agency operations, contracts, MSHCP policy/implementation matters, and anything of significant political importance. All routine updates on legislation, receipts, acquisitions, JPRs, consultant performance, the Annual Report, educational updates, and matters that are not of significant political import will go directly to the Board. Additionally, if there are no substantive items in the newly defined scope of Executive Committee meeting topics, the meeting would be cancelled.

The second recommendation from RCA staff is to direct the Executive Committee to meet on Board meeting days at 11:30 a.m., prior to the monthly Board meeting if an effort to streamline everyone's time.

Chair Johnson restated that the intent of this item was to move the Executive Committee to the same day as the Board meeting and only discuss higher profile items at the Executive Committee.

Board Member Spiegel noted that while this works for RCTC, the Executive Committee reviews items and provides input prior to the items going to the Board of Directors. That could be a waste of time having the meetings back-to-back if the same items are going to be discussed.

Chair Johnson stated this item came from members of the Executive Committee as some of the items presented were repetitive and wanted clarity of the role of the Committee.

Anne Mayer, Executive Director, noted that moving the Executive Committee would require RCA to get into a groove and change the timing of items. Items that are specifically related to policy and/or some of the budget issues would need to be sequenced so they would come to the Executive Committee one month and go to the Board the following month.

There are not many circumstances where an item would go to the Executive Committee decision and then directly to the Board without an opportunity for there to be staff response to Committee directions. Once the pattern is set, it would work quite well and achieving the goal

of getting Executive Committee direction on hot-button issues, but not necessarily sitting through the same agenda twice a month.

Chair Johnson thought it might take some time, but one of the reasons the format is the way it is now, is there was concern and comments regarding transparency of the Executive Committee and making sure that things were shared with the Board appropriately. Both issues have been addressed and transparency is no longer an issue.

M/S/C (Bash/Spiegel) to:

- 1) **Streamline the scope of the Executive Committee to the review of budget, agency operations, contracts, MSHCP policy/implementation matters, and anything of significant political importance; and**
- 2) **Direct the Executive Committee to meet on Board Meeting days at 11:30 a.m., prior to the monthly Board meeting.**

10. BOARD OF DIRECTORS / EXECUTIVE DIRECTOR REPORTS

Chair Johnson wanted to discuss the possibility of another super bloom due to the rains this season. Aaron Gabbe, Regional Conservation Director, stated that with the rain the flowers are expected and whether it will be a super bloom, is still too early to tell. In talking with the Reserve Manager at County Parks, he thought that maybe it would not be such a big bloom year because the earlier rains have stimulated the grasses to germinate early. This could provide such a cover that the poppies are not able to thrive, but it is all speculation. Given past instances, it is still not too early to start preparing.

Chair Johnson noted that there have been poppy sightings already, so they are coming. The City of Lake Elsinore is slated to start meetings internally to discuss some initial issues.

Anne Mayer, Executive Director, stated that the super bloom was discussed at a management team meeting recently and staff is ready to participate in meeting with the city. On another note, Aaron Gabbe and David Knudsen have spent some quality time with staff at the Wildlife Conservation Board (WCB) recently. RCA staff has been having a continuous conversation with WCB as there is currently \$250 million dollars headed their way for distribution. RCA staff wants to make sure that RCA is submitting competitive applications and working closely with WCB.

RCA staff is readying the next Section 6 Grant package for submittal. The application is focusing on land in the Murrieta area for core 2, as well as the French Valley area.

11. ADJOURNMENT

There being no further business for consideration by the Executive Committee, Chair Johnson adjourned the meeting at 12:30 p.m. The next meeting of the Executive Committee is scheduled to be held on **Wednesday, February 15, 2023.**

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