

WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY

BOARD OF DIRECTORS MEETING MINUTES

Monday, February 6, 2023

1. CALL TO ORDER

The Western Riverside County Regional Conservation Authority Board of Directors Meeting was called to order by Chair Natasha Johnson at 12:32 p.m., in the Board Room at the County of Riverside Administrative Center, 4080 Lemon Street, First Floor, Riverside, California, 92501.

2. ROLL CALL

Board of Directors/Alternates Present

Kevin Jeffries
Karen Spiegel
Chuck Washington
Yxstian Gutierrez
Colleen Wallace
Julio Martinez
Jeff Cervantez
Jennifer Dain
Tony Daddario
Todd Rigby

Joe Males
Natasha Johnson
Lesa Sobek
David Marquez
Lori Stone
Kevin Bash
David Starr Rabb
Patricia Lock Dawson
James Stewart
Joseph Morabito

Board of Directors Absent

V. Manuel Perez
Leslie Altamirano
Crystal Ruiz

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 (Spiegel/Gutierrez) to approve the following Consent Calendar items.

Abstain: Stone and Martinez

6A. APPROVAL OF MINUTES – JANUARY 9, 2023

6B. 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.

6C. WESTERN RIVERSIDE COUNTY MULTIPLE SPECIES HABITAT CONSERVATION PLAN FEE COLLECTION REPORT FOR NOVEMBER 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 Report for November 2022.

6D. 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 December 31, 2022.

6E. ACQUISITIONS STATUS REPORT

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

6F. MONTHLY INVESTMENT REPORT FOR OCTOBER 2022

This item is for the Board of Directors to receive and file the Monthly Investment Report for the month ended October 31, 2022.

6G. SINGLE SIGNATURE AUTHORITY REPORT

This item is for the Board of Directors to receive and file the Single Signature Authority report for the second quarter ended December 31, 2022.

6H. STATE AND FEDERAL LEGISLATIVE UPDATE

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

6I. CONSULTANT REPORTS – FISCAL YEAR 2023 SECOND QUARTER

This item is for the Board of Directors to receive and file the consultant reports for Fiscal Year 2023 Second Quarter.

6J. REVISED 2023 BOARD OF DIRECTORS / EXECUTIVE COMMITTEE MEETING SCHEDULE

This item is for the Board of Directors to adopt the Revised 2023 Board of Directors / Executive Committee Meeting Schedule.

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 is 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 agency staff. Reference chapters were included, appendices were added as well as a discussion on regional impacts, and updated definitions.

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 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. RCA staff will communicate with member agencies about this 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 later this week 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.

Board Member Washington inquired about fees regarding a particular business property in his jurisdiction. This business is a winery that is working on some improvements to their property and the recent increase of fees has caused them to kill their project. Staff was requested to see if it was possible for this business to pay their fees in installments. Ms. Fuller noted that she would need to reach out to Riverside County Transportation and Land Management Agency (TMLA) to see if they would accept an installment plan.

M/S/C (Lock Dawson/Bash) to:

Abstain: Stone

This item is for the Board of Directors to approve the update to the Multiple Species Habitat Conservation Plan (MSHCP) Mitigation Fee Implementation Manual.

8. PRESENTATION – POTENTIAL POPPY SUPER BLOOM PLANNING UPDATE

Aaron Gabbe, Regional Conservation Director, provided a presentation on the Poppy Bloom Update. There was a large bloom of poppies in 2019 on RCA Lands in Lake Elsinore, referred to as a super bloom. A super bloom is a rare desert phenomenon in which an unusually high proportion of wildflowers whose seeds have lain dormant in desert soil germinate and blossom generally at the same time. This phenomenon is associated with an unusually wet rainy season. There has been a lot of discussion as to whether Southern California will have another super bloom this year, currently it is not looking like there will be.

In 2019, an overwhelming number of people came from across the state, country, and even the world, to see the poppy bloom in Lake Elsinore. A rapid response by the city, County, local authorities, and RCA, managed to help control the situation, but at a large cost to the locals.

As a result, the RCA Board of Directors adopted Super Bloom Policy Resolution No. 2021-004 to clarify the role of the RCA when a super bloom event occurs. Key points from this resolution include:

- RCA-managed lands along Walker Canyon Road are open to the public for passive recreation on existing open trails. However, because these lands are managed expressly for MSHCP covered species, the RCA reserves the discretion to close its properties to the

public if such use causes undue impacts to MSHCP covered species.

- The RCA will coordinate and collaborate with the cities, County of Riverside, any other MSHCP Permittees, law enforcement, and state and federal agencies, as appropriate.
- The RCA is not responsible for costs incurred by Permittees or other individuals or entities because of a super bloom. RCA will not reimburse Permittees, other individuals, or entities for their costs related to a super bloom.

Conditions can change day by day, and as with every year when there is some rain, the poppies are blooming. There are nice patches of color this season, but the extent and number of blooming poppies are not like in 2019. It does not appear to be a “super bloom” now. The size, location and timing of springtime poppy blooms are hard to predict. No one could have imagined the crowds and media attention given to the flowers in 2019.

Nature is unpredictable, so RCA needs to prepare for a potential super bloom. Given the heavy rains received in November, December, and January, there is the potential for a large poppy bloom in the region, including RCA reserves in Lake Elsinore. As such, the RCA is closely coordinating and planning with the city, County, law enforcement, and Caltrans. RCA’s focus is providing sufficient Parks staff to help ensure public safety, protecting MSHCP covered species and reserve land, and coordinating bloom preparation efforts with the City of Lake Elsinore, County Parks, County agencies, Riverside County Sheriff, the Emergency Management Department, Caltrans, and others.

In response to the 2019 super bloom, RCA has been preparing budget wise for another potentially large bloom. RCA has budgeted \$70,000 to fund RCA response to a super bloom on RCA land. These funds would go to Parks to help manage public visitors. Parks has also installed fencing along Walker Canyon Road and Hill Top Drive and signage to inform visitors of potential hazards.

Board Member Spiegel wanted to give Chair Johnson credit as she was on this subject as soon as the first flower bloomed. This is a subject most board members don’t have to work with.

Board Member Spiegel wondered what the final point is where RCA will know whether or not this season will see a super bloom. Mr. Gabbe stated that there was not an actual tipping point, but it would probably depend on whether or not the region will see more rain. There are already some plants that are flowering, with additional rain new plants could germinate and start flowering. Enough rain to germinate more seeds with warmth after could result in the bloom being more profound.

Chair Johnson announced that in response to the interest in seeing the bloom, Lake Elsinore has installed a Poppy Watch live feed, accessible via the City of Lake Elsinore website. In addition, the Walker Canyon access road is closed, and there are no pedestrian routes or places to park.

9. BOARD OF DIRECTORS / EXECUTIVE DIRECTOR REPORT

There were no Board of Directors or Executive Director updates.

10. CLOSED SESSION

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

10A. 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	472-190-020, 472-190-021 & 472-190-028	Richard B. Gurrola and Valerie Gurrola	RCA
2	932-200-016	Troy W. Schumacher	RCA
3	465-100-037	Robert Kay Johnson and Gladys C. Johnson	RCA

10B. REPORT OUT FROM CLOSED SESSION

There were no announcements from Closed Session.

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 1:32 p.m. The next meeting of the Board of Directors is scheduled to be held on **Monday, March 6, 2023.**

Respectfully submitted,



Lisa Mobley
Administrative Services Manager/
Clerk of the Board