

# **WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY**

## **BOARD OF DIRECTORS MEETING MINUTES**

**Monday, March 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  
Mike Lara  
Jeff Cervantez  
Jennifer Dain  
Tony Daddario  
Jocelyn Yow  
Joe Males

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

V. Manuel Perez  
David Marquez

\*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 (Lock Dawson/Ruiz) to approve the following Consent Calendar items.**

**6A. APPROVAL OF MINUTES – FEBRUARY 6, 2023**

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

**6C. JOINT PROJECT REVIEW STATUS**

This item is for the Board of Directors to receive and file the Joint Project Review (JPR) monthly status report as of January 31, 2023.

**6D. ACQUISITIONS STATUS REPORT**

This item is for the Board of Directors to receive and file the acquisition status report as of December 31, 2022.

**6E. MONTHLY INVESTMENT REPORT FOR NOVEMBER 2022**

This item is for the Board of Directors to receive and file the Monthly Investment Report for the month ended November 30, 2022.

**6F. MONTHLY INVESTMENT REPORT FOR DECEMBER 2022**

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

**6G. QUARTERLY PUBLIC ENGAGEMENT METRICS REPORT, OCTOBER – DECEMBER 2022**

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

**7. STATE AND FEDERAL LEGISLATIVE UPDATE**

Andrew Sall, Senior Management Analyst, Legislative Affairs, provided an update on state and federal legislative actions. Normally this report would be given by Tyler Madary, however, he is out of the office celebrating the birth of his daughter.

Last month, staff sent a letter to the Wildlife Conservation Board (WCB) in support of a proposal to amend their Appraisal Review and Disclosure Policy. Currently, WCB requires independent appraisals to occur when more than \$5 million in state funds are proposed for land acquisition expenditure. The proposed amendments would instead require such an appraisal to take place

only when \$15 million of state funds are used for acquiring land for conservation. In addition, the amendments allow WCB to contract out to a third-party vendor to conduct independent appraisals when total project costs exceed \$150,000. These actions are intended to make better use of WCB staff time, implement process efficiencies, and enable them to approve a greater number of acquisition projects. RCA staff is happy to report that the WCB approved the policy changes during their February 16, 2023, meeting.

Staff recently meet with the Office of Assemblymember Greg Wallis and Assemblymembers Sabrina Cervantes and Bill Essayli, as well as Governor Newsom's External Affairs Staff to promote RCA's habitat conservation goals. Staff will continue to pursue similar meetings with the western Riverside County legislative delegation.

On the federal front, RCA staff plan to travel to Washington, D.C. later this month with the National Habitat Conservation Plan Coalition (NHCCPC) to engage members of Congress and the Administration regarding Habitat Conservation Plans (HCP), project streamlining, and funding for FY 2024.

This Board has been very active in seeking reforms to the Endangered Species Act, Section 6 grant program so that RCA can be more successful in receiving land acquisition funds. RCA staff has taken direction from the Board and engaged the U.S. Department of Interior (DOI), U.S. Fish and Wildlife Service, and others as part of a working group to develop common sense reforms. As a result of these conversations, several RCA reforms are included in the latest notice of funding opportunity for the Section 6 grant program. These reforms include flexibility in the requirement for willing seller letters to be included as part of the applications and for specific parcel lists in each grant application. Now, RCA can use funding towards acquisitions in targeted areas. Reforms also include providing greater flexibility in the scoring of applicants, such as in lands where its conservation is vital for the protection of one species that may not exist anywhere else.

RCA staff is still awaiting President Biden's budget proposal, which is due to be released this week. This proposal will impact funding for habitat conservation.

Board Member Stone wanted to know if RCA has reached out to Senator Cierto and Assemblywoman Sanchez. Mr. Sall noted that RCA staff is in the process of reaching out to their offices to schedule meetings with all the delegations. There are a lot of newly elected officials in the region and RCA is attempting to approach them all.

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

## **8. QUARTERLY FINANCIAL STATEMENTS**

Jennifer Fuller, Financial Administration Manager, provided a presentation on the 2<sup>nd</sup> Quarter Financial Statements and related budget adjustments. Beginning in Fiscal Year 2021, and continuing in FY 2022, RCA received a majority of the total fiscal year revenues in June.

June collections in those years as a percentage of this fiscal year budget are approximately 114% and 42% respectively. RCA staff expect current year collections will increase to at least \$18 million, given the current trajectory of fee collections. This projection is still cautious given current pressures on the economy and housing market.

Local Development Mitigation Fee (LDMF) revenues continue to be strong and exceed budget expectations. When setting the budget, RCA staff take a conservative view of fee revenues and as the revenue picture develops during the year, adjust expectation to allow for more spending if warranted. Through the 2<sup>nd</sup> Quarter, LDMF collections are over 60% of budget expectations for member agency collections related to periods through November. Therefore, RCA staff is requesting to increase estimated revenues by \$1.2 million to \$18 million. Right of way acquisition activity has outpaced expectation this fiscal year, leading to an increase in consultant costs for appraisals, survey work, and environmental reviews. Property and general liability insurance costs exceeded budget expectations, as well as consultant and travel costs.

RCA staff is asking to increase revenue by \$1.2 million and expenditures by \$1.02 million. These amounts differ because 15% of the LDMF revenues are attributable to the endowment and cannot be spent in the current year.

The State Jurupa Mountains Grant was set to expire this month, but staff has negotiated a two-year extension of the grant terms. However, RCA must now purchase the properties and then be reimbursed by the state. RCA expects to close on three properties that are not currently in the budget prior to the fiscal year-end. The reimbursements will likely occur next fiscal year, given the timing of the purchase and time required for the reimbursement. Therefore, RCA staff is recommending a budget adjustment to increase expenditures for land by \$7.25 million related to potential property purchases.

In the Operations Budget, member agencies have paid fees for three civic projects leading to increased revenue. Various expenditures related to professional services, staff travel, and training have increased as well. The professional services relate to the implementation of new accounting standards and printing costs. RCA staff is asking to increase revenue and expenditures by \$26,100, to ensure expenditures do not exceed budget at year-end.

The Monitoring and Management budget will also need an adjustment. A developer is required to do mitigation due a Water Board certification. The developer will pay for mitigation services on an RCA property for the next four years to move an invasive species. RCA will receive \$25,000 per year and pay the Santa Ana Watershed Authority to conduct the species removal. Funding for this fiscal year has already been received.

The Operations Budget is progressing well at mid-year. Member agency revenues from infrastructure and civic projects have both exceeded budget revenues and Joint Project Review (JPR) fees is at nearly 50% of budget. Flood contract revenues are only at 15% of budget, but another project was paid for in January. Tipping fees will be allocated at the end of the fiscal year. Operating transfers in will be made closer to year-end, eliminating the negative in net change operating position. Professional and support costs are mostly low as consultants have

only billed 4-5 months thus far. With the budget adjustments proposed, staff expects the operating budget to be within budget by year-end.

The Monitoring and Management Budget is also progressing well at mid-year. Member agency infrastructure and civic fees as well as flood control project revenues are the same as in the Operations Budget. Only one quarter of tipping fees has been received to date, but staff expects the fees will meet the budget at year-end. Operating transfers in will be done at year-end if needed. Professional support costs are low compared to budget as most contractors have only billed 4-5 months at mid-year. Other charges relate to owner's association on reserve land, most of the charges are paid for in the spring, so the to date cost is low at mid-year. RCA staff expects the Monitoring and Management Budget to be within budget at year-end.

The Land Acquisition Program is within budget at mid-year. LDMF revenues collected are over 60% of budgeted revenues. Only one quarter of Transportation Uniform Mitigation Fee (TUMF) has been collected through the second quarter and will likely exceed budget at year-end as well. Two properties and a conservation easement have been donated so far this year and will be recorded in the third quarter. The donations are valued collectively at \$7.7 million, accounting for about 90% of the donations and contributions budget. Professional support costs are low compared to budget as most contractors have only billed 4-5 months, a pattern for each program at mid-year. Nine properties were purchased during the first six months, adding over 800 acres of Additional Reserve Land (ARL). The two donated properties and conservation easement added another 250 acres. Staff expects more properties will close before year-end, as well as donations. As noted earlier, budget adjustments are needed to purchase three properties that will be grant funded and to ensure that right of way support costs do not exceed budget at year-end. Operating transfers out will be done closer to year-end as needed. With the requested budget adjustments, staff expects the Land Acquisition Program to be within budget at year-end.

Board Member Ruiz wanted clarification on whether the requested budget adjustment was for 3 or 4 properties. Ms. Fuller noted that there are 4 properties, but one is already budgeted.

**M/S/C (Lock Dawson/Jeffries) to:**

**Abstain: Stone**

- 1) Receive and file the Quarterly Financial Statements for the six months ended December 31, 2022, and**
- 2) Approve the Fiscal Year 2022/23 budget adjustments in Attachment 1.**

At this time, Board Member Altamirano arrived.

## **9. PRESENTATION – POPPY BLOOM STATUS UPDATE**

Aaron Gabbe, Regional Conservation Director, provided a presentation on the Poppy Bloom Status Update and RCA's preparations. The poppies are continuing to bloom on the hills and valleys in Walker Canyon, the extent and number of blooming poppies are greater than

described in February. Though the extent of the poppies is not the same as it was in 2019. The rain and cool weather we've experienced the last month will likely prolong the duration and the intensity of the poppy bloom. Nature is unpredictable, so it is hard to estimate with certainty how long the bloom will last. If conditions remain cool and wet, the blooms should continue through March if not longer.

RCA continues to coordinate closely with the City of Lake Elsinore, county parks, other county departments, Caltrans, and other law enforcement agencies to manage the public attempting to visit Walker Canyon. As of February 7th, the RCA Walker Canyon lands have been closed to protect public safety and natural resources. Similarly, notices of no trespassing have been posted on adjacent private lands. The Lake Street access to Walker Canyon is also closed, and parking in or around is closed. Cones and No Parking signs have been placed in the breakdown lanes and the on- and off-ramps at Lake Street, to prevent parking on Interstate 15. However, despite the signage, park rangers patrolling RCA lands regularly see people stopped on the interstate to view the poppies or attempting to park and unloading mountain bikers.

In addition to patrolling Interstate 15, law enforcement continues to patrol adjacent nearby streets and illegally parked cars have been towed. This coordinated management efforts are working, without them, we could easily see the large crowds and unruly conditions seen in 2019. Walker Canyon will remain closed until further notice, and coordinated management efforts will continue throughout the bloom season.

At this time, Board Member Morabito arrived.

RCA has also teamed to provide coordinated messaging to the public. On February 7<sup>th</sup>, RCA staff along with the City of Lake Elsinore, Sheriff's Department, Caltrans, county parks, and other agencies held a news conference to announce the closure of Walker Canyon. The message was simple, Walker Canyon was closed to protect public safety and natural resources. That message made it to several publications. While reactions from the public were mixed, the message was consistently relayed.

Shortly after, RCA published a blog article on the Vista and posted it on RCA's social media accounts. The social media posts reiterated the message that Walker Canyon is closed to protect public safety and natural resources. These social media posts had the single highest reach and engagement metrics for a single RCA post. Reaching more than 19,000 users and 2,000 engagement datapoints. The post was boosted to cover Western Riverside County as well as parts of Orange and Los Angeles Counties. Similar to before, reactions on social were again mixed. Most people were in favor of the closure due to safety reasons and to protect habitats, but were disappointed. The disappointment expressed was not necessarily directed at RCA but towards the actions of people who trampled on the poppies and behaved poorly during the 2019 super bloom. Staff will continue to monitor social media metrics on this topic and will remind the public that Walker Canyon is closed.

Board Member Daddario wanted to know what the website to the Poppy Cam.

Chair Johnson shared the Poppy Cam could be found at [www.lake-elsinore.org/poppywatch](http://www.lake-elsinore.org/poppywatch).

Board Member Sobek stated while Walker Canyon is closed, there are places the public can go to see the poppies, and that should be something RCA shares with the public. At Diamond Valley Lake there is a walking trail that is open to the public where they can view the poppies, but there is a cost associated. Chair Johnson thought that was a great point, and that was included in an all hands meeting. Ultimately, the thought process was not to bombard any one location with the crowds that were experienced in 2019 in Lake Elsinore. Information on general viewing tips was provided, but specific details were not.

Chair Johnson noted that people are continuing to not obey the law and posted signs. The poppy conversations can become a little bit mundane, but this is what it is going to take to manage them and keep everyone safe. The amount of interest in the poppy bloom is a silver lining in that there were 19,000 users that RCA will now be able to inform about conservation.

At this time, Board Member Spiegel arrived.

#### 10. BOARD OF DIRECTORS / EXECUTIVE DIRECTOR REPORT

Chair Johnson announced that RCA would be scheduling a Stakeholders Committee Meeting. The Stakeholders Committee was re-energized last year to vet, discuss, and review items that are important to RCA. If there are any items the Board would like to consider, they should be sent to staff.

Chair Johnson also offered congratulations to RCA employee Tyler Madary on becoming a new father.

Board Member Sobek shared that the City of Menifee would be hosting the Wall the Heals, the Vietnam Memorial Wall. Menifee will be the only place in Southern California it will be this year. The wall will be available April 5<sup>th</sup>-9<sup>th</sup> and everyone including military families and veterans are invited to attend.

Board Member Spiegel wanted to make sure that the adjournment of this meeting be done in honor of Ted Hoffman, from the City of Norco.

#### 11. 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.

##### 11A. 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	378-020-024, 378-020-033, 378-020-034, 378-020-040, 378-020-041, & 378-020-054	Riverside Legacy IV Nichols Road, LLC a Delaware Limited Liability Company	RCA

2	290-060-007, 290-060-017, 290-060-019, 290-080-012, 290-080-014, 290-080-015, 290-080-016, & 290-080-017	Indusi, L.P. a California Limited Partnership & Asgard L.P. a California Limited Partnership	RCA
---	--	---	-----

**11B. REPORT OUT FROM CLOSED SESSION**

Mr. DeBaun announced the Board considered and approved the following closed session item:

Item 1: Acquisition of the property was approved for \$3,240,000.

**12. ADJOURNMENT**

There being no further business for consideration by the Western Riverside County Regional Conservation Authority Board of Directors, Vice Chair Bash adjourned the meeting at 2:10 p.m., after a moment of silence for Council Member Ted Hoffman. The next meeting of the Board of Directors is scheduled to be held on **Monday, April 3, 2023.**

Respectfully submitted,



Lisa Mobley  
Administrative Services Manager/  
Clerk of the Board