

WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY

BOARD OF DIRECTORS MEETING MINUTES

Monday, October 2, 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 12:30 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
Colleen Wallace
Julio Martinez
Jeff Cervantez
Jennifer Dain
Tony Daddario
Jocelyn Yow
Carole Kendrick

Natasha Johnson
Lesa Sobek
David Marquez
Ron Holliday
Kevin Bash
David Starr Rabb
Crystal Ruiz*
James Stewart
Joseph Morabito*

Board of Directors Absent

V. Manuel Perez
Yxstian Gutierrez
Leslie Altamirano
Patricia Lock Dawson

*Arrived after the meeting was called to order.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Board Member Kendrick

At this time, Board Members Morabito, Spiegel, and Ruiz joined the meeting.

4. PUBLIC COMMENTS

Ed Sauls, a member of the public, wanted to share some recommendations with the Board for RCA. Having opportunities for more public input for consideration about what can be done to improve the MSHCP is important. The Board could ask the Stakeholders Committee for recommendations on implementing the MSHCP, and the committee could be tasked with coming back to the Board with recommendations on better implementation. Another option is holding a public workshop that would engage other people besides stakeholders. This could put forth suggestions to be considered to which the consultant team could weigh in on the recommendations. Community support for the MSHCP is critical, and the community is going to be needed to fund it.

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/Sobek) to approve the following Consent Calendar items.

Abstain: Kendrick and Marquez

6A. APPROVAL OF MINUTES – JULY 10, 2023

6B. WESTERN RIVERSIDE COUNTY MULTIPLE SPECIES HABITAT CONSERVATION PLAN FEE COLLECTION REPORT FOR MAY 2023

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 May 2023.

6C. WESTERN RIVERSIDE COUNTY MULTIPLE SPECIES HABITAT CONSERVATION PLAN FEE COLLECTION REPORT FOR JUNE 2023

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 June 2023.

6D. WESTERN RIVERSIDE COUNTY MULTIPLE SPECIES HABITAT CONSERVATION PLAN FEE COLLECTION REPORT FOR JULY 2023

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 July 2023.

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 August 31, 2023.

6F. ACQUISITIONS STATUS REPORT

This item is for the Board of Directors to receive and file the acquisition status report as of July 31, 2023.

6G. MONTHLY INVESTMENT REPORT FOR MAY 2023

This item is for the Board of Directors to receive and file the Monthly Investment Report for the month ended May 30, 2023.

6H. MONTHLY INVESTMENT REPORT FOR JUNE 2023

This item is for the Board of Directors to receive and file the Monthly Investment Report for the month ended June 30, 2023.

6I. MONTHLY INVESTMENT REPORT FOR JULY 2023

This item is for the Board of Directors to receive and file the Monthly Investment Report for the month ended July 31, 2023.

6J. 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, 2023.

6K. QUARTERLY PUBLIC ENGAGEMENT METRICS REPORT, APRIL – JUNE 2023

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

6L. CONSULTANT REPORTS – FISCAL YEAR 2023 FOURTH QUARTER

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

6M. QUARTERLY FINANCIAL STATEMENTS

This item is for the Board of Directors to receive and file the Preliminary Quarterly Financial Statements for the year ended June 30, 2023.

At this time, Chair Johnson asked that the Board take a moment to acknowledge the passing of Senator Feinstein, honoring her efforts on behalf of the MSHCP. She was extremely instrumental in the development of the plan and demonstrated her support for the RCA repeatedly over many years. Senator Feinstein was a friend to Riverside County, introducing legislation to support the MSHCP and securing funding for major transportation projects.

7. STATE AND FEDERAL LEGISLATIVE UPDATE

Tyler Madary, Legislative Affairs Manager, provided a presentation on the National Wildlife Refuge update. As with all RCA goals and legislative actions, the goal is to ensure the long-term

success of the MSHCP, which is tasked with acquiring 153,000 acres of additional reserve lands. One of the challenges the MSHCP faces is that limited Section 6 funding slows progress towards the federal commitment of the plan. As a competitive program, RCA must dedicate a lot of staff time to secure these limited funds, that are not guaranteed. Establishing a National Wildlife Refuge in Western Riverside County was intended to provide a new pot of funding for land acquisitions outside of the competitive grant process.

Utilizing the wildlife refuge this way was carefully considered by the RCA Board in 2017, resulting in the adoption of a resolution supporting the establishment of one in Western Riverside County.

Thereafter, three bills have been introduced including the efforts of the previous congress by Representative Calvert and the late Senator Feinstein. RCA was differential to the bill authors and generally supportive of any effort that would result in a refuge. Representative Calvert's bill H.R. 972 proposed a process by which the Department of the Interior would establish a refuge within the MSHCP boundary. Senator Feinstein took a narrower approach in S. 4669, by proposing an acquisition boundary which in there were three sub-regions in the MSHCP that would limit where the refuge could be established. Consequently, the map promoted a lot of strong and negative comments from local stakeholders in the region. Ultimately, the congressional session ended without either refuge legislation bill passing, and all prior legislation is now dead.

The efforts of the last few years have been very instructive for RCA staff. RCA has taken note of stakeholder response through the process and have renewed the discussion in 2023 with a new draft concept acquisition map. One of the many takeaways from 2022, was that the U.S. Fish and Wildlife Service requires a refuge acquisition boundary map to determine where the final refuge would be established. To be clear, having a map is a requirement for any future bill and staff took the initiative to create a draft map so that it was not completed for us. This also gave the RCA the strategic advantage of hearing stakeholder issues firsthand.

This year, RCA was given the charge by Representative Calvert and the office of Senator Feinstein, Senator Padilla, and Representative Issa to take a leading role in conducting stakeholder outreach to ensure a thorough understanding of the proposal and to incorporate feedback on the map. Thereafter, RCA began engaging permittees and those that engaged in the process last year, as well as those that could have overlapped or adjacent interests, both utilities and property owners.

As staff began the stakeholders outreach effort, a set of guiding principles were developed to focus the discussion and ensure the best possible outcome from the RCA, the MSHCP, and the surrounding communities. These principles incorporated feedback as well as lessons learned from previous efforts. They were:

- The focus of the refuge is to meet the federal land commitment to the MSHCP.
- Downsize acquisition boundary to criteria cells for ease of USFWS management, focus on high-value habitat, and maintaining MSHCP compromises.
- Land must be acquired from willing sellers and donors of land.

- Property owners within acquisition boundary experience no change to rights or title.
- Properties incorporated into a refuge maintain existing easements and access rights.

Using these outlined principles there were numerous stakeholders that RCA engaged with over the last two years including municipalities, tribal governments, environmental organizations, utility operators, property owners, and other key stakeholders.

There was a great deal of feedback received from the various stakeholders. In summary, local stakeholder feedback on the refuge included:

- Respecting the sovereignty of our tribal partners.
- Ensuring refuge land acquired from willing sellers and donors.
- Refuge land contributes to MSHCP and federal land commitments without moving the goal posts of how much land must be acquired.
- Preserving rights and access for future utilities infrastructure not just existing.
- Allowing wildfire response and suppression.
- Preventing material expansion of refuge acquisition boundary.

RCA staff has been sharing these concepts and draft bill language with Senator Feinstein and Representative Calvert's offices for their review and feedback. Introduction of legislation is not a forgone conclusion, after learning that the U.S. Fish and Wildlife Service headquarters has significant concerns regarding the lack of resources to fund the refuge, RCA does not anticipate it to proceed.

The intent of establishing a National Wildlife Refuge from 2017 to present was to open a new pipeline of federal funding for land acquisition for the MSHCP and to reduce some of the future land management burden on the RCA. RCA's leadership role in the stakeholder process was at the request and requirement of Senator Feinstein and Representative Calvert before they would consider introducing new legislation this year. While staff has completed this work, at the end of the day, the goal is to increase the funding to the MSHCP, anyway, anyhow.

Doors to funding open and close all the time, currently, RCA is pursuing an opportunity to repurpose unused federal funds for Habitat Conservation Plan (HCP) land acquisition. As part of the appropriations process, the Senate had proposed a \$100 million rescission from the Land and Water Conservation Fund (LWCF), for unused grant funding that is distributed by the states. Conservation advocates and boosters of LWCF want to keep the funding in the account, and RCA agrees. It is being proposed to direct some or all of the unused funding to the Section 6 HCP Land Acquisition program, which is funded by the same account. The Section 6 program is oversubscribed relative to the applications received across the country, particularly from California where development pressures can increase the cost of land acquisition. The Fiscal Year 2024 funding for the HCP Land Acquisition Program has been proposed at \$26 million, compared to the \$85 million that RCA and the National HCP Coalition have been advocating for. RCA and the National HCP Coalition are engaging with the senate offices in support of reallocating these funds to HCPs.

RCA and the MSHCP are not diminished by the wildlife refuge legislative effort. RCA staff took the role of stakeholder outreach very seriously and have engaged far more organizations and individuals than had been reached in any of the previous efforts. As a result, RCA has emerged with some new partnerships and has every intention of fostering those relationships to elevate the regional profile and the effectiveness of the MSHCP.

Chair Johnson wanted to reiterate that gathering those stakeholder comments was a charge given to RCA. If RCA had been engaged earlier in the process, there might have been a different outcome. RCA was sent in the direction to help fill some gaps that had existed prior to the implementation of introduction, which does cause us to look back to see how this could have gone differently.

Board Member Washington wanted to know if the final feedback that was shared with Senator Feinstein and Representative Calvert was also sent to the RCA Board Members and if RCA received any response from the information that was sent. Mr. Madary noted that they were interested in receiving the feedback and everything that was sent, was done so in batches as there was no opportunity to halt the outreach. They have not weighed in on the varying principles that were provided and the various draft acquisition boundaries that were provided, though they did schedule a meeting with U.S. Fish and Wildlife headquarters where they were able to identify the funding roadblock concern.

Board Member Washington asked to see the slide again with the stakeholder feedback and was interested to see what environmental agencies thought about those. Mr. Madary noted that the U.S. Fish and Wildlife Service understands the need for conservation in the region and are strong supporters of the MSHCP, evidenced by the continual award of Section 6 grant funding. Though, there were strong concerns regarding the resources available to implement a refuge first from local U.S. Fish and Wildlife staff and then later from headquarters.

Chair Johnson added that there was a lot of support at the federal level, but staff at the local level of U.S. Fish and Wildlife was where RCA was unable to get that same support.

Anne Mayer, Executive Director, noted that the other challenge was other stakeholder comments received were out of RCA's purview as it relates to the MSHCP. The comments were related to concerns with implementation of the Endangered Species Act and other permitting requirements, so several stakeholders were commenting on issues above and beyond the refuge. With that, it is not clear that RCA would get a response from U.S. Fish and Wildlife Service not directly related to the non-refuge issues. At the local and federal level, there is support for the MSHCP, but there are concerns for a refuge as there are no resources for implementation. Neither of the bills to date have come with an appropriation or funding.

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

8. PRESENTATION – STATE AND FEDERAL FUNDING GRANT UPDATE

Aaron Gabbe, Regional Conservation Director, provided a presentation on the federal and state funding update. The RCA was recently awarded close to \$9 million in federal competitive endangered species act grant funds on September 14th, from the U.S. Fish and Wildlife Service. The grant award was the largest in the nation and approximately 22% of the overall amount awarded this year, about \$40 million. Furthermore, the California Department of Fish and Wildlife (CDFW) has committed to match 35% of the federal award, amounting to \$4.8 million.

The funds will go toward the acquisition of ecological significant areas including key wildlife movement linkages, high priority conservation areas, and parcels that support populations of MSHCP protected species. The funding will be used to acquire properties within core 2 and constrained linkage. Unfortunately, RCA was not awarded the full request, which was close to \$22 million. RCA intends to acquire a subset of the properties that were identified in the proposal.

Since the federal and state governments intend to meet their acquisition obligations through grant funding, rather than direct land acquisition, the RCA has the added responsibility of writing grants, administering the grants when successful, and managing the grant funded properties. Originally, the management of these properties were funded by the federal and state government. To date in 2023, RCA has applied to 4 federal grants for a total of \$39 million. RCA won the Section 6 grant funding in 2023. There is a second request that will be presented to the California Wildlife Conservation Board in November for a B-Canyon acquisition in the amount of \$14.8 million. RCA submitted a Wildlife Crossing Pilot Program grant application to the Federal Highway Administration for close to \$11.5 million. Finally, RCA also submitted another proposal to the Wildlife Conservation Board for almost \$14 million to acquire some habitat near Hemet. Work will continue as the Section 6 grant for Fiscal Year 2024 came out last week, and staff is working on writing another proposal.

Section 6 Land Acquisition Grants have been the primary source of RCA's federal funding for the MSHCP. Including the most recent award, RCA has received 11 annual Section 6 Land Acquisition Grants since inception, for a total of approximately \$75 million. These funds have been used to acquire upwards of 8,675 acres. The money RCA is about to receive for the Fiscal Year 2023 award will add even more acreage. Furthermore, other entities in Western Riverside County have successfully won Section 6 grant awards that were then incorporated in the reserve lands.

The federal and state governments and their respective wildlife agencies are important partners in assembling the 153,000-acre reserve system of Additional Reserve Lands (ARL). Combined, the federal and state governments have committed to acquiring 56,000 acres, 6,000 of those acres are mitigation for Caltrans and Department of Parks and Recreation projects. The federal government has acquired approximately 30% of their commitment, around 25,000 acres. The state government recently exceeded 50% of their commitment, which includes the mitigation lands, around 15,600 acres. The RCA has acquired about 44% of our commitment, a total of 42,600 acres.

Board Member Sobek wanted to know if the state and federal government have made the commitment, and how RCA can continue to urge them to meet the commitment in a better way. Mr. Gabbe noted that staff is doing a solid job with the work being done in Washington and Sacramento, really pressing hard the requests for funding. The push for the wildlife refuge helped the U.S. Fish and Wildlife Service and the federal government to recognize the importance of the MSHCP and remind them of their commitment.

Anne Mayer, Executive Director, added that she did not see this as only an annual conversation, but a continuous one at both the state and federal levels. When the RCA Board selected RCTC to become the managing agency, RCTC was given very specific tasks to increase awareness and communication, but also to have an active legislative platform to seek needed funding.

At the state level, RCA submits requests very frequently, but the Wildlife Conservation Board only meets 4 times a year and have very specific requirements and timelines on submittals. RCA has been putting a great deal of pressure on the Wildlife Conservation Board staff with the number of applications that come in on behalf of Riverside County. At the federal level, this latest grant is a lot of money, showing that the federal presence of RCA is important.

Board Member Holliday agreed that finding funding was very important and while \$9 million is a large amount, spending \$40 million for one property pales in comparison. RCA needs to be creative in looking at all sources of funding and has some issues that need to be overcome. Little by little, RCA could be putting itself into a position that it won't be able to move forward with. A workshop as suggested in the public comment bringing everyone together would be a good idea in addition to the work RCA is continually doing to help bridge the gap.

9. BOARD OF DIRECTORS / EXECUTIVE DIRECTOR REPORT

Chair Johnson shared an announcement about the upcoming Stakeholders Committee recruitment. Back in 2021, the Board ratified the membership appointments for the RCA Stakeholders Committee. It was one of our top priorities to expand communication and education of stakeholders and to reinstate the Stakeholders Committee. Stakeholders Committee membership applications were made available on Monday, September 18, 2023. In addition, staff have been reaching out to organizations notifying them of the open application period.

Staff has been directed to reach out all invested partners to make sure they understand the application period is open, not wanting anyone to miss this opportunity. The online application can be found on the website under the "About RCA" drop-down menu, then "Committees" and then "Stakeholders Committee."

The Stakeholders Committee is intended to unify the diverse constituencies RCA represents with the common interest of implementing the MSHCP as successfully as possible. Board Members are ultimately responsible but cannot do it alone. The Stakeholders Committee

will be advisory to the Board when there are issues identified for input. In no way will the Stakeholders Committee take on the role of the Board or staff.

RCA's bylaws outline the eligibility criteria for this committee. Members must represent one of three categories: property owners, environmental advocates, or builders affected by the MSHCP. Staff has been directed to conduct outreach to ensure stakeholder groups who meet these criteria are aware of the application, but you as Board members should also encourage eligible people to apply. Final appointments for Board ratification will be brought forward at a future meeting, in accordance with the bylaws.

Board Member Sobek wanted to know if the current stakeholders would be given an opportunity to apply. Chair Johnson noted that the current members have already been notified that the applications are open.

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	425-190-007, 427-140-012, 427-160-001, 427-160-013, 427-160-014, & 427-170-009	SSR Investment Co., a California Limited Partnership	RCA
2	287-200-011	Robert L. Hess, et al	RCA
3	425-040-019	Lakeview Ranch Properties, LLC, a California Limited Liability Company	RCA
4	571-590-011	Wicks Investments, Inc., Arturo Florian, & John and Kinga Sharif	RCA

10B. REPORT OUT FROM CLOSED SESSION

There were no announcements from Closed Session.

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 1:40 p.m. The next meeting of the Board of Directors is scheduled to be held on **Monday, November 6, 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 Director/
Clerk of the Board