

WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY

BOARD OF DIRECTORS MEETING MINUTES

Monday, November 6, 2023

1. CALL TO ORDER

The Western Riverside County Regional Conservation Authority Board of Directors Meeting was called to order by Vice Chair Kevin Bash 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
Colleen Wallace
Julio Martinez
Jeff Cervantez
Dale Welty
Tony Daddario
Carole Kendrick
Leslie Altamirano

Lesa Sobek
David Marquez
Ron Holliday*
Kevin Bash
David Starr Rabb
Patricia Lock Dawson
Crystal Ruiz
James Stewart
Joseph Morabito

Board of Directors Absent

V. Manuel Perez
Yxstian Gutierrez
Jocelyn Yow
Natasha Johnson

*Arrived after the meeting was called to order.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Board Member Daddario.

4. PUBLIC COMMENTS

There were no requests to speak from the public.

At this time, Board Member Holliday arrived.

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 (Sobek/Lock Dawson) to approve the following Consent Calendar items.

6A. APPROVAL OF MINUTES – OCTOBER 2, 2023

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

6C. 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 September 30, 2023.

6D. ACQUISITIONS STATUS REPORT

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

6E. MONTHLY INVESTMENT REPORT FOR AUGUST 2023

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

6F. SINGLE SIGNATURE AUTHORITY REPORT

This item is for the Committee to recommend the Board of Directors to receive and file the Single Signature Authority report for the first quarter ended September 30, 2023.

6G. CONSULTANT REPORTS – FISCAL YEAR 2024 FIRST QUARTER

This item is for the Board of Directors to receive and file the consultant reports for Fiscal Year 2024 First Quarter.

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.

7. EXEMPT SURPLUS DECLARATION OF REAL PROPERTY AND MOU WITH ELSINORE VALLEY MUNICIPAL WATER DISTRICT

Aaron Hake, Deputy Executive Director, provided a presentation on the Exempt Surplus Declaration of Real Property. This item is for a proposed swap of 2.6 acres of land between RCA and Elsinore Valley Municipal Water District (EVMWD). RCA owns property in Rice Canyon in Lake Elsinore. RCA acquired this land from the developer of the La Laguna development by way of a dedication, which was a requirement of the developer from the Army Corps of Engineers to receive their 404 Clean Water Permit. When the land was received, the Army Corps required a restrictive covenant placed on the land so that only conservation uses were acceptable.

However, as shown in the map attached to this agenda item, there is an existing water tank on the property. The property that the tank sits on is owned by the City of Lake Elsinore, and the tank is owned by the EVMWD as is the water line that goes down the canyon. When RCA acquired this land, EVMWD did not have a complete easement to access their own facility prior to the change in ownership or to this day. This item is seeking to rectify that situation.

In 2018, there was the Holy Fire that burned this area along with some flooding that continues to this day. EVMWD continues to need access to not only the tower but the pipeline when there is a washout, including repairing roads and the pipeline. Both agencies thought it would be best to do an exchange of land where EVMWD would get ownership of the land underneath their facilities and there would be no concerns with the conservation restrictions. RCA has embarked on a process that is prescribed in the MSHCP to do an exchange of property.

EVMWD owns property along Railroad Canyon Road that is 2.6 acres, an equivalent amount of acreage. EVMWD has done an analysis to demonstrate to RCA and the wildlife agencies' satisfaction that the land being given to RCA is biologically equivalent, so the MSHCP would remain whole.

Board Member Daddario wanted to know if there was any connectivity with the land being receiving on the San Jacinto River. Mr. Hake noted that the RCA does not own anything north of Railroad Canyon, but directly south on the other side there are several properties owned by RCA.

Board Member Daddario wanted to confirm that the land being received was a single 2.6-acre piece and wanted to know who owned the adjacent properties. Mr. Hake confirmed that the land was a single piece, and the adjacent properties are owned by EVMWD. The land being given is based on land size, but also equivalent ecological value.

M/S/C (Morabito/Marquez) to:

- 1) Approve the Memorandum of Understanding (MOU) between Western Riverside County Regional Conservation Authority (RCA) and Elsinore Valley Municipal Water District (EVMWD) for the conveyance of real property interests; and**

- 2) **Adopt Resolution No. 2023-004 “A Resolution of the Board of Directors of the Western Riverside County Regional Conservation Authority Pursuant to Government Code section 54221 Declaring that Certain Real Property (a Portion of APN’s 394-140-003, 394-140-004, 394-150-001, and 394-150-011) is Exempt Surplus Land, and Finding that such declaration is exempt from environmental review under the California Environmental Quality Act.”**

8. CALTRANS ARROYO TOAD COOPERATIVE AGREEMENT

Monica Tlaxcala, Senior Management Analyst, Right of Way, provided a presentation on the Caltrans Arroyo Toad Cooperative Agreement. Caltrans has identified 4 projects that contain mitigation requirements for the Arroyo Toad. The specific projects are listed in the agenda item. The projects are located throughout Riverside County. Caltrans has been working with U.S. Fish and Wildlife Service and the California Department of Fish and Wildlife for coordination of full replacement mitigation obligations for each of the projects. Together, the parties have prepared a list containing approximately 17 properties that may satisfy the necessary mitigation obligation which is included as Exhibit D in the cooperative agreement.

The list of 17 potential properties was shared with RCA and utilized to develop a budget and scope of work for the acquisition efforts staff would undertake. The scope of work includes title and escrow services, Phase I environmental, assessments, appraisals, and appraisal reviews. From the list of the 17, 3 parcels identified were deemed a priority. The 3 priority parcels are all located south of Highway 79, in the Aguanga Area and are within half a mile of occupied Arroyo Toad habitat. Caltrans and the wildlife agencies have determined that approximately 12.41 acres of Arroyo Toad habitat are necessary to comply with the mitigation obligation.

Given RCA staff’s experience in acquiring property for the purpose of conservation, Caltrans first engaged RCA in 2021 to explore options in partnering with RCA for assistance to pursue the property acquisitions that would satisfy the mitigation obligation. If these acquisitions are successful, the acquired areas will account toward the MSHCP’s reserve assembly. If approved by the Board today, the acquisitions would be performed following the Board adopted Right of Way Policies and Procedures Manual and Caltrans’ Right of Way Manual. RCA staff plans to engage the property owners of each parcel to ensure the owner is a willing seller and agrees to the possible acquisition of all or a part of their property. If the property owner agrees, Caltrans will conduct an Arroyo Toad presence survey prior to the acquisition and closing of escrow.

To assist with the acquisitions a cooperative agreement was drafted, and Caltrans legal counsel review is still pending at this time. Caltrans will be funding the necessary support and acquisitions up to \$1.5 million. RCA will provide bi-monthly written progress reports to Caltrans and will issue invoices for reimbursement to be paid within 45 calendar days. The agencies have made a commitment to work together to acquire the necessary properties for the benefit of the Arroyo Toad.

Board Member Lock Dawson wanted to know if the 12.41 acres was contained in the three parcels that were shown. Ms. Tlaxcala confirmed that there were 17 parcels identified, but 3 were deemed as priority and make up the necessary 12.41 acres needed.

Board Member Holliday inquired about what would happen if the budget exceeded the \$1.5 million cap. Ms. Tlaxcala noted that if expenditures were to exceed the \$1.5 million, RCA would need to reassess the cost and come back to the Board to amend the cooperative agreement. The cap was based on estimates of comparable properties that have already been acquired in the area and rough estimates of staff time.

Anne Mayer, Executive Director, added that if the budget was to go over the cap, Caltrans would be responsible to pay anything additional, RCA would not be paying for any overage. Ms. Tlaxcala confirmed that was correct.

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

- 1) Approve Agreement No. 23001, a Cooperative Agreement with Caltrans for Acquisition of Conservation Lands with Arroyo Toad; and**
- 2) Authorize the Executive Director, pursuant to legal counsel review, to execute the agreement and/or amendments on behalf of RCA.**

9. BOARD OF DIRECTORS / EXECUTIVE DIRECTOR REPORT

Anne Mayer, Executive Director, shared that on October 11th, staff met with the California Natural Resources Agency Secretary Wade Crowfoot and Dr. Jennifer Norris the Deputy Secretary for Biodiversity and Habitat at the 30x30 Symposium at the Riverside Convention Center. It was a tremendous opportunity for RCA to be able to have that time and focus the meeting on the state's commitment to the MSHCP and how to broaden the use of state 30x30 funds for Natural Community Conservation Plans (NCCP) like RCA.

Unbeknownst to RCA, Dr. Norris was about to be appointed as the Wildlife Conservation Board Executive Director, which happened the next day. RCA cannot think of anyone better to run the Wildlife Conservation Board. Dr. Norris is a very strong advocate for RCA and for Habitat Conservation Plans (HCPs), she also knows the MSHCP very well.

It was pleasing to find out that Secretary Crowfoot seems to know RCA as well and was able to recall from previous meetings what RCA is trying to accomplish with the MSHCP. He expressed interest in hosting a learning session with his staff and organizations like RCA to share the benefits of our work and how we are connected to the 30x30 framework. RCA staff is looking forward to engaging further.

10. 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 12:48 p.m.

The next meeting of the Board of Directors is scheduled to be held on **Monday, December 4, 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