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EXECUTIVE COMMITTEE

The Executive Committee, consisting of the RCA Board Chairperson, Vice Chairperson, past Chairperson, and four members of the RCA Board of Directors, who oversee Authority administrative functions, staff functions, recommend staff positions, job descriptions and salaries, and consider such other matters as delegated to it by the Board.

**January 16, 2019, at 12:00 p.m.
Western Riverside County Regional Conservation Authority
Riverside Centre, RCA Conference Room
3403 Tenth Street, Suite 320
Riverside, California 92501**

EXECUTIVE COMMITTEE MEMBERS

Jonathan Ingram, Chairperson
City of Murrieta

vacant, Vice Chairperson

Larry Greene
City of Canyon Lake

Natasha Johnson
City of Lake Elsinore

Crystal Ruiz
City of San Jacinto

Kevin Jeffries
County of Riverside, District 1

Jeffrey Hewitt
County of Riverside, District 5

Charles Landry, Executive Director



EXECUTIVE COMMITTEE AGENDA*

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*Action(s) may be taken on any item listed on the agenda. Non-exempt materials related to an item on this agenda submitted to the RCA Executive Committee after distribution of the agenda packet are available for public inspection at the RCA Offices, 3403 10th Street, Suite 320, Third Floor, Riverside, California, 92501, during normal business hours. Such documents are also available on the Western Riverside County Regional Conservation Authority website at www.wrc-rca.org subject to staff's ability to post the documents before the meeting. Alternative formats are available upon request by contacting the Clerk of the Board at (951) 955-9700. Notification of at least 72 hours prior to meeting time will assist staff in accommodating such requests.

**Wednesday, January 16, 2019
12:00 P.M.
Riverside Centre, RCA Conference Room
3403 Tenth Street, Suite 320
Riverside, CA 92501**

In compliance with the Americans with Disabilities Act and Government Code Section 54954.2, if special assistance is needed to participate in an Executive Committee meeting, please contact the Clerk of the Board at (951) 955-9700. Notification of at least 48 hours prior to meeting time will assist staff in assuring that reasonable arrangements can be made to provide accessibility at the meeting.

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PUBLIC COMMENT** *At this time, members of the public can address the Executive Committee regarding any items within the subject matter jurisdiction of the RCA that are not separately listed on this agenda. Members of the public will have the opportunity to speak on agenda items at the time the item is called for discussion. No action may be taken on items not listed on the agenda unless authorized by law. Each individual speaker is limited to speak three (3) continuous minutes or less. Any person wishing to address the Executive Committee on any matter, whether or not it appears on this agenda, is requested to complete a Request to Speak Form available from the Clerk of the Board. The completed form is to be submitted to the Clerk of the Board prior to an individual being heard. Whenever possible, lengthy testimony should be presented to the Executive Committee in writing and only pertinent points presented orally. Any written documents to be distributed or presented to the Executive Committee shall be submitted to the Clerk of the Board.*
- 4. COMMITTEE MEMBER ANNOUNCEMENTS**
- 5. ADDITIONS/REVISIONS** *(The Committee may add an item to the Agenda after making a finding that there is a need to take immediate action on the item and that the item came to the attention of the Committee subsequent to the posting of the agenda. An action adding an item to the agenda requires 2/3 vote of the Committee. If there are less than 2/3 of the Committee Members present, adding an item requires a unanimous vote. Added items will be placed for discussion at the end of the agenda.)*

6. APPROVAL OF MINUTES – November 21, 2018

7. WESTERN RIVERSIDE COUNTY MSHCP FEE COLLECTION REPORTS FOR NOVEMBER AND DECEMBER 2018

Overview – **STAFF REPORT**

This item is for the RCA Executive Committee to:

- 1) Recommend that the RCA Board of Directors receive and file the Western Riverside County MSHCP Fee Collection Reports for November and December 2018; and
- 2) Authorize staff to agendize this matter for the February 4, 2019 meeting of the RCA Board of Directors.

8. FISCAL YEAR 2019 SECOND QUARTER CONSULTANT REPORTS

Overview – **STAFF REPORT**

This item is for the RCA Executive Committee to:

- 1) Recommend that the RCA Board of Directors to receive and file the Fiscal Year 2019 Second Quarter Consultant Reports; and
- 2) Authorize staff to agendize this matter for the February 4, 2019 meeting of the RCA Board of Directors.

9. ELECTION OF VICE CHAIRPERSON AND POSSIBLE APPOINTMENT AND RATIFICATION OF THE CHAIRPERSON'S APPOINTMENT TO THE 2019 RCA EXECUTIVE COMMITTEE

Overview – **STAFF REPORT**

This item is for the RCA Executive Committee to:

- 1) Recommend that the RCA Board of Directors hold an election for Vice Chairperson and, if necessary, that the Chairperson appoint a new member to the 2019 RCA Executive Committee and that RCA Board of Directors ratify said appointment; and
- 2) Authorize staff to agendize this matter for the February 4, 2019 meeting of the RCA Board of Directors.

10. FUTURE AGENDA ITEMS: (Committee members are invited to suggest additional items to be brought forward for future discussion.)

RCA EXECUTIVE COMMITTEE AGENDA

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January 16, 2019

11. CLOSED SESSION ITEMS:

11.1 PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Pursuant to Government Code Section 54957

Title: Executive Director

11.2 CONFERENCE WITH LABOR NEGOTIATOR

Pursuant to Government Code Section 54957.6

Agency representative: Board Chairperson

Unrepresented Employee: Executive Director

12. ADJOURNMENT

The next meeting of the Western Riverside County Regional Conservation Authority Executive Committee will be held on Wednesday, February 20, 2019, at 12:00 p.m., at the Riverside Centre, 3403 Tenth Street, Suite 320, Third Floor, RCA Conference Room, Riverside, California, 92501.

ACRONYMS

AGENDA ITEM NO. 6

MINUTES

November 21, 2018



EXECUTIVE COMMITTEE MINUTES

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1. CALL TO ORDER

The meeting of the Western Riverside County Regional Conservation Authority Executive Committee Meeting was called to order by Chairman Ingram at 12:20 p.m. on Wednesday, November 21, 2018, in the RCA Conference Room, 3403 Tenth Street, Suite 320, Riverside, California, 92501.

2. ROLL CALL – was taken by Rose Haro, Administrative Manager.

COMMITTEE MEMBERS PRESENT	COMMITTEE MEMBERS ABSENT
<p>Jonathan Ingram, Chairman – City of Murrieta</p> <p>Maryann Edwards, Vice Chairperson – City of Temecula</p> <p>Jeffrey Hewitt – City of Calimesa</p> <p>Crystal Ruiz – City of San Jacinto</p> <p>Marion Ashley – County of Riverside District 5</p>	<p>Natasha Johnson – City of Lake Elsinore</p> <p>John Tavaglione – County of Riverside District 2</p>

3. PUBLIC COMMENTS

There were no public comments.

4. COMMITTEE MEMBER ANNOUNCEMENTS

There were no Committee Member announcements.

5. ADDITIONS/REVISIONS

There were no additions/revisions to the agenda.

6. APPROVAL OF MINUTES – August 15, 2018

M/S/C (CITY OF SAN JACINTO/COUNTY DISTRICT 5) to approve the minutes of the August 15, 2018, Meeting of the Executive Committee as submitted.

(5 Ayes, 0 Nays, 0 Abstain, 2 Absent)

7. WESTERN RIVERSIDE COUNTY MSHCP FEE COLLECTION REPORT FOR OCTOBER 2018

Honey Bernas, Director of Administrative Services, reported that for the month of October 2018, the total of fee collection receipts was \$1,225,183.

M/S/C (CITY OF SAN TEMECULA/CITY OF SAN JACINTO) to approve this item as recommended:

- 1) ***Recommend that that RCA Board of Directors receive and file the Western Riverside County MSHCP Fee Collection Report for October 2018; and***
- 2) ***Authorize staff to agendize this matter for the December 3, 2018, meeting of the RCA Board of Directors.***

(5 Ayes, 0 Nays, 0 Abstain, 2 Absent)

8. FISCAL YEAR 2019 FIRST QUARTER FINANCIAL REPORT

Honey Bernas, Director of Administrative Services, presented the Fiscal Year 2019 First Quarter Financial Report, which included an Executive Summary (cash balance summary and financial statement overview), detailed financial statements, and MSHCP Fee Collections Report. She stated that as of June 30, 2018, the cash balance was \$45.7 million, which represents a \$4.3 million increase from the Fiscal Year 2018 ending cash balance. Cash receipts were \$11 million and cash disbursements were \$6.6 million. The cash balance as of November 19, 2018 was \$46.1 million. An additional \$5.3 million is set aside as restricted for endowment for a total of \$51.4 million. She further reported that in Operations, revenues of \$196 thousand exceeded expenditures of \$87 thousand by \$109 thousand. In Management and Monitoring, revenues of \$1.3 million exceeded expenditures of \$599 thousand by \$677 thousand. In Land Acquisition, revenues of \$9.6 million exceeded expenditures of \$7.3 million by \$2.3 million. During the first quarter of the fiscal year, RCA acquired three properties totaling 52 acres valued at approximately \$5.2 million. Additionally, RCA received one land donation of 33.4 acres from RCTC valued at \$1.16 million.

She further advised that a budget adjustment is necessary in the Management and Monitoring Program due to a staff member retirement that was not anticipated in the original budget. Staff recommends increasing estimated revenue and appropriations by \$180 thousand in order to cover the payout of accumulated leave balances. She advised that that in the first quarter, Tipping Fee revenue has already reached 35% of

the budgeted revenues of \$2.8 million, and staff anticipates the increase will be sufficient to absorb this increase in appropriations.

M/S/C (CITY OF SAN JACINTO/CITY OF TEMECULA) to approve this item as recommended:

- 1) ***Recommend that the RCA Board of Directors:***
 - A) ***Receive and file the Fiscal Year 2019 First Quarter Financial Report;***
 - B) ***Approve the budget adjustments contained in Exhibit A; and***
 - C) ***Authorize the Chairman to direct the Auditor-Controller to make the budget adjustments contained in Exhibit A;***
- and***
- 2) ***Authorize staff to agendize this matter for the December 3, 2018, meeting of the RCA Board of Directors.***

(5 Ayes, 0 Nays, 0 Abstain, 2 Absent)

9. FISCAL YEAR 2018 AUDITED FINANCIAL STATEMENTS

Honey Bernas, Director of Administrative Services, presented the Fiscal Year 2018 Audited Financial Statements. She reported that this was the second year the RCA was audited by Brown Armstrong Accountancy Corporation. She advised that RCA was not subject to a Single Audit in that RCA did not expend any federal funds during Fiscal Year. She stated that she was pleased to report that the Independent Auditors' Report indicates that the financial statements present fairly in all material respects, the financial position of the RCA as of June 30, 2018. The opinion was "clean" or "unmodified." In addition, the auditors did not identify any internal control deficiencies or findings related to internal controls of RCA. She gave brief highlights of FY2018 and responded to questions asked by Executive Committee members. The Executive Committee commended staff for a job well done.

M/S/C (COUNTY DISTRICT 5/CITY OF SAN JACINTO) to approve this item as recommended:

- 1) ***Recommend that the RCA Board of Directors receive and file the following reports:***
 - A) ***Basic Financial Statements and Independent Auditors' Report for the Year ended June 30, 2018;***
 - B) ***Single Audit Report for the year ended June 30, 2018; and***

C) SAS 114 Report – The Auditors’ Communication with Those Charged with Governance; and

2) Authorize staff to agendize this matter for the December 3, 2018, meeting of the RCA Board of Directors.

(5 Ayes, 0 Nays, 0 Abstain, 2 Absent)

10. PROPOSED 2019 RCA BOARD OF DIRECTORS AND EXECUTIVE COMMITTEE MEETING SCHEDULE

Rose Haro, Administrative Manager, presented the proposed 2019 schedule with no changes to the traditional schedule for both the Board of Directors and Executive Committee meetings. She highlighted the dark meeting months and the adjustments made in the schedule due to holidays.

M/S/C (CITY OF SAN JACINTO/CITY OF CALIMESA) to approve this item as recommended:

1) Recommend that the RCA Board of Directors adopt the Proposed 2019 Meeting Schedule of the RCA Board of Directors and Executive Committee; and

2) Authorize staff to agendize this matter for the December 3, 2018, meeting of the RCA Board of Directors.

(5 Ayes, 0 Nays, 0 Abstain, 2 Absent)

11. ELECTION OF 2019 RCA OFFICERS AND TWO MEMBERS OF THE RCA EXECUTIVE COMMITTEE

Steve DeBaun, General Counsel, presented this item. He stated that at the December 2018 RCA Board of Directors’ meeting, the Board would be asked to elect the 2019 RCA Officers, as well as two Members of the RCA Executive Committee. He further stated that under the Bylaws, the Board of Directors will hold an election for Chairperson and Vice Chairperson for 2019 and the Board of Directors will recommend two Executive Committee Members. At the January 2019 meeting of the Board, the Board of Directors will be asked to ratify the appointments by the Chairperson of the two remaining members to the Executive Committee.

Board Member Ashley reminded the Executive Committee members that both his term and that of Board Member Tavaglione’s have expired, and they will not be returning to the RCA Board of Directors in 2019.

Vice Chairperson Edwards stated that she would like to stay on the Executive Committee, should she be elected, but due to time constraints with her new job, would opt not to be RCA’s Chairperson. She made a recommendation that Chairperson

Ingram continue in 2019 as Chairperson should the Board of Directors elect him at the December Board of Directors' meeting.

Steve DeBaun reminded the Executive Committee that this discussion should take place before the RCA Board of Directors meeting in December.

M/S/C (CITY OF TEMECULA/COUNTY DISTRICT 5) to approve this item as recommended:

- 1) Recommend that the RCA Board of Directors hold an election for Chairperson and Vice-Chairperson for 2019;***
- 2) Recommend that the RCA Board of Directors hold an election for two members of the RCA Executive Committee for 2019; and***
- 3) Authorize staff to agendize this matter for the December 3, 2018, meeting of the RCA Board of Directors.***

(5 Ayes, 0 Nays, 0 Abstain, 2 Absent)

12. DISCUSSION CONCERNING WILDFIRE MANAGEMENT PROGRAM

Chairman Ingram discussed with the Executive Committee the wildfire management on RCA land. The discussion centered around recent fires and management for fire suppression on conservation lands that are close to infrastructure and habitable areas. Chairman Ingram requested that RCA coordinate a meeting with the Wildlife Agencies and all the fire and water departments represented within the MSHCP plan area and have a discussion regarding fire management suppression on conservation lands.

13. DISCUSSION CONCERNING PARTICIPATION IN HOMELESS TASK FORCE IN SOUTHWEST AREA

Honey Bernas, Director of Administrative Services, stated that the Executive Committee asked RCA staff to participate in and attend the Regional Homeless Alliance (RHA) meeting scheduled in the southwest area of the MSHCP plan area. She reported that RCA sent two representatives to the November meeting; however, the meeting was canceled. RCA staff was added to the notification list for future RHA meetings.

Board Member Ashley departed the meeting towards the end of the discussion of this item.

14. FUTURE AGENDA ITEMS: (Committee members are invited to suggest additional items to be brought forward for future discussion.)

No future agenda items were suggested.

15. ADJOURNMENT


There being no other items before the Executive Committee, Chairman Ingram adjourned the meeting at 1:48 p.m. The next meeting of the Western Riverside County Regional Conservation Authority Executive Committee is scheduled for Wednesday, December 19, 2018, at 12:00 p.m. at the Riverside Centre, 3403 Tenth Street, Suite 320, Third Floor, RCA Conference Room, Riverside, California, 92501.

Prepared by:



Rose Haro
Administrative Manager

Respectfully submitted:



Honey Bernas
Clerk of the Board

AGENDA ITEM NO. 7

**WESTERN RIVERSIDE COUNTY
MSHCP FEE COLLECTION
REPORTS FOR
NOVEMBER AND DECEMBER 2018**

Regional Conservation Authority

**WESTERN RIVERSIDE COUNTY
MSHCP FEE COLLECTION REPORTS FOR
NOVEMBER AND DECEMBER 2018**

Staff Contact:

**Honey Bernas
Director of Administrative Services
(951) 955-9700**

Background:

The RCA Executive Committee directed staff to report on Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Local Development Mitigation Fee (LDMF) Collection and Civic/Infrastructure Contribution on a monthly basis.

Attached are the reports for November and December 2018. The reports were prepared on a cash basis and, therefore, reflects the cash received by RCA during that month.

Staff Recommendations:

That the RCA Executive Committee –

- 1) Recommend that the RCA Board of Directors receive and file the Western Riverside County MSHCP Fee Collection Reports for November and December 2018; and
- 2) Authorize staff to agendize this matter for the February 4, 2019 meeting of the RCA Board of Directors.

Attachment

- 1) Western Riverside County MSHCP LDMF Collection and Civic/Infrastructure Contribution Report for November 2018
- 2) Western Riverside County MSHCP LDMF Collection and Civic/Infrastructure Contribution Report for December 2018

AGENDA ITEM NO. 7

Attachment 1

**Western Riverside County
MSHCP LDMF Collection and
Civic/Infrastructure Contribution
Report for November 2018**

**WESTERN RIVERSIDE COUNTY MSHCP LDMF COLLECTION AND
CIVIC/INFRASTRUCTURE CONTRIBUTION REPORT FOR NOVEMBER 2018
CASH BASIS**

LOCAL DEVELOPMENT MITIGATION FEE COLLECTIONS						
		REMITTED			EXEMPTIONS & FEE CREDITS	
		Residential Permits	Commercial/Industrial Acres	Amount Remitted	Residential Permits	Amount
City/County	Month					
City of Banning	October-No Activity					
City of Beaumont	October	56	60.0	\$547,521		
City of Calimesa	October	3		\$6,312		
City of Canyon Lake	October-No Activity					
City of Corona	September	19	0.2	\$27,525		
City of Eastvale	October	8		\$10,776		
City of Hemet	October	16		\$33,685		
City of Jurupa Valley	October	33	5.5	\$108,834		
City of Lake Elsinore	October		5.4	\$38,542		
City of Menifee	October	106	0.6	\$227,179		
City of Moreno Valley	October	13		\$27,352		
City of Murrieta	October-No Activity					
City of Norco	October-Pending					
City of Perris	September	12	34.5	\$272,191		
	October		9.6	\$68,774		
City of Riverside	August	41	0.5	\$52,235		
City of San Jacinto	October	26		\$54,704		
City of Temecula	October	1		\$2,104		
City of Wildomar	October	3	5.9	\$48,221		
County of Riverside	November	52	9.2	\$175,388		
Total LDMF Collections		389	131.3	\$1,701,345	0	\$0

CIVIC AND INFRASTRUCTURE CONTRIBUTIONS		
City of Menifee	Town Central Park- 5 acres	\$35,820
Total Civic/Infrastructure Contributions		\$35,820

TOTAL NOVEMBER 2018 \$1,737,165

AGENDA ITEM NO. 7

Attachment 2

**Western Riverside County
MSHCP LDMF Collection and
Civic/Infrastructure Contribution
Report for December 2018**

**WESTERN RIVERSIDE COUNTY MSHCP LDMF COLLECTION AND
CIVIC/INFRASTRUCTURE CONTRIBUTION REPORT FOR DECEMBER 2018
CASH BASIS**

LOCAL DEVELOPMENT MITIGATION FEE COLLECTIONS						
		REMITTED			EXEMPTIONS & FEE CREDITS	
City/County	Month	Residential Permits	Commercial/Industrial Acres	Amount Remitted	Residential Permits	Amount
City of Banning	November	1		\$2,104		
City of Beaumont	November	40		\$84,160		
City of Calimesa	November	18		\$37,872		
City of Canyon Lake	November	1		\$2,104		
City of Corona	October	22		\$29,677		
	November	117		\$130,020		
City of Eastvale	November	22		\$29,634		
City of Hemet	November		1.0	\$6,928		
City of Jurupa Valley	November	34	1.6	\$83,070		
City of Lake Elsinore	November	1	0.6	\$6,259		
City of Menifee	November	26		\$54,704		
City of Moreno Valley	November	20		\$42,080		
City of Murrieta	November-No Activity					
City of Norco	October		22.9	\$164,056		
	November-No Activity					
City of Perris	November	4		\$8,416		
City of Riverside	September-Pending					
City of San Jacinto	November-No Activity					
City of Temecula	November	5		\$10,520		
City of Wildomar	November-Pending					
County of Riverside	December	111	11.2	\$312,349		
Total LDMF Collections		422	37.3	\$1,003,953	0	\$0

CIVIC AND INFRASTRUCTURE CONTRIBUTIONS	
No Activity	
Total Civic/Infrastructure Contributions	\$0

TOTAL DECEMBER 2018 \$1,003,953

AGENDA ITEM NO. 8

**FISCAL YEAR 2019
SECOND QUARTER
CONSULTANT REPORTS**

Regional Conservation Authority

**FISCAL YEAR 2019 SECOND QUARTER
CONSULTANT REPORTS**

Staff Contact:

**Charles Landry
Executive Director
(951) 955-9700**

Background:

Attached are the Fiscal Year 2019 Second Quarter Consultant Reports for Dudek, Riverside County Regional Parks and Open-Space District, Santa Ana Watershed Association, and Douglas P. Wheeler – Hogan Lovells, US LLP.

Staff Recommendations:

That the RCA Executive Committee –

- 1) Recommend that the RCA Board of Directors receive and file the Fiscal Year 2019 Second Quarter Consultant Reports; and
- 2) Authorize staff to agendize this matter for the February 4, 2019 meeting of the RCA Board of Directors.

Attachments:

Fiscal Year 2019 Second Quarter Consultant Reports

- Attachment 1 – Dudek
- Attachment 2 – Riverside County Regional Parks and Open-Space District
- Attachment 3 – Santa Ana Watershed Association
- Attachment 4 – Douglas P. Wheeler, Hogan Lovells, US LLP

AGENDA ITEM NO. 8

Attachment 1

DUDEK

**CONSULTANT REPORT
DUDEK
FISCAL YEAR 2019 SECOND QUARTER REPORT**

Report Covers Period: 10/01/18 to 12/31/18

Services Provided During Current Work Period:

Joint Project Reviews

As part of our ongoing duties related to MSHCP implementation for the RCA, Dudek continued to provide review of biological reports, analysis and submittals related to Joint Project Reviews (JPRs) submitted by Permittees. Dudek reviewed and completed multiple JPRs for Permittees during this reporting period.

Permittee Trainings and Support

Dudek assists the RCA in providing training and support to Permittees on MSHCP implementation. These training sessions are provided once or year or upon request and include an overview of the MSHCP, RCA responsibilities, Permittee Responsibilities, rough step, JPR process, required surveys and mitigation, CEQA documents, changes to the MSHCP, reserve lands, and the Wildlife Agencies' role. Discussion of circumstances unique to each Permittee is also provided in the training. Prior training sessions were held for Permittees during the fourth quarter (Q4) of last fiscal year on April 9, 2018 and a special training for the City of Murrieta on June 12, 2018. The Biological Consultant Training was held on December 3, 2018, outside of their busiest time of year (i.e., outside of the biological survey season).

Monthly meetings with the Riverside County Environmental Programs Department (EPD) are ongoing. These meetings are a forum to discuss upcoming or ongoing County HANS/JPRs, conservation criteria, and other Permittee requirements to facilitate MSHCP consistency. RCA and EPD meetings this quarter were held October 3, November 7, and December 5, 2018.

Additional separate meetings/conference calls were held with RCA, Dudek, Permittees and/or applicants and their consultants, including but not limited to 1) Rick Nuegenbaur and the County of Riverside regarding a possible Criteria Refinement in Core 7, and 2) the Gilman Springs Mine applicant and County of Riverside regarding substantial impacts to the Reserve goals and function. One notable meeting on November 19 involved RCA, County of Riverside, U.S. Fish and Wildlife Service (USFWS), California Department of Fish and Wildlife (CDFW), and legal counsel for all agencies, to discuss the County's commitment to address their role and responsibility in the existing acreage and functional losses to the Reserve.

Dudek also directly has multiple meetings/conference calls each month with applicants/biologists on other projects regarding MSHCP implementation and compliance questions. Dudek fields questions on an ongoing basis related to either new projects or ongoing projects, both inside and out of the Criteria area.

Most recently, Dudek prepared templates for an MSHCP Consistency Analysis report and the Determination of Biologically Equivalent or Superior Preservation report to be posted on RCA's website. The purpose of these templates is to provide guidance for Permittees and applicant biologists with the expectation that information needed to demonstrate MSHCP consistency will be less likely to be left out of the JPR supporting documentation and thus, RCA comments on JPR supporting documentation may be reduced.

Wildlife Agency Coordination and Meetings

Dudek attended three monthly meetings with USFWS and CDFW staff hosted by the RCA. Duties included coordinating with attendees and review of materials ahead of the meeting. Meetings with the Wildlife Agencies this quarter were held on October 18, November 15, and December 20, 2018.

Pre-Application Meetings

Dudek also attended two Pre-Application Meetings with the U.S. Army Corps of Engineers, Regional Water Quality Control Board, CDFW, and USFWS staff. Projects represented by Permittees and/or the project representatives are presented for consideration. The various regulatory agencies and RCA discuss, review, and seek solutions to issues related to permitting and MSHCP compliance. The review and analysis presented in these meetings is often subject to MSHCP Consistency review which is part of Dudek's role with the RCA. Meetings with the regulated waters Permitting Agencies this quarter were held on October 10, November 14, and December 12, 2018.

Also in this reporting period, Dudek provided documentation and support to CDFW and USFWS related to ongoing projects and questions on MSHCP implementation.

Participating Special Entities

Dudek staff provided support and coordination related to pending and existing Participating Special Entities (PSEs). Dudek remains involved in all processing of Southern California Edison (SCE) PSE application reviews, including follow-up on conditions required of the West of Devers System Upgrade Project (WODUP), including conditions to finalize riparian/riverine mitigation, and replacement of Additional Reserve Lands (ARL) and Public/Quasi-Public (PQP) lands. Coordination between Dudek and SCE is ongoing to help with their questions regarding mitigation implementation during construction.

Another PSE for the Judson Water Tank proposed by Eastern Municipal Water District (EMWD) was submitted on July 18, 2018. This PSE process is currently on hold, pending the submittal of revised supporting documents.

SCE is also partnering with the City of Riverside regarding the Riverside Transmission Reliability Project (RTRP). Typically, SCE would seek PSE status. However, the JPR supporting documentation being prepared by the City of Riverside will cover SCE's portion of the project. Note that a part of SCE portion extends outside of the City of Riverside. For this part outside of the City, incidental take will be conveyed by RCA through a Certificate of Inclusion.

RCA and Management Support

Dudek staff provided various forms of analysis and provided staff support by attending meetings, conference calls and conducting research via email related to ongoing and past projects. During this reporting period, Dudek was involved in discussions on various projects, particularly those with

substantial issues. Dudek has also been involved in a discussion regarding JPR cost recovery, assisted with preparation of written internal procedures for JPR processing, and reviewed/revise to Reserve Assembly (Cell/Cell Group/Subunit) analysis standards.

AGENDA ITEM NO. 8

Attachment 2

RIVERSIDE COUNTY REGIONAL PARKS AND OPEN-SPACE DISTRICT

**CONSULTANT REPORT
RIVERSIDE COUNTY PARKS AND OPEN-SPACE DISTRICT
FISCAL YEAR 2019 SECOND QUARTER REPORT**

Report Covers Period: 10/01/2018 – 12/31/2018

Services Provided During Current Work Period:

200 Work Release Program hours were utilized during the First Quarter of FY2019

Patrol/Access Control/Maintenance

General Administration

Natural Reserve Manager (NRM) Jonathan Reinig and Ranger Supervisor (RS) Ruben Rodriguez attended a meeting with Riverside County Sheriff and County Code Enforcement Officers regarding large homeless encampments in the San Jacinto River. The camps are all located on a Flood Control parcel immediately adjacent to Regional Conservation Authority (RCA) conserved lands. The Sheriff's Department was interested in removing the camps. However, the supervising Sheriff decided to not evict the homeless camps and instead continue their outreach campaign.

Andrea Souther, with the Readiness and Environmental Protection Integration (REPI) Program, was escorted to the Agua Tibia Donation and Hanson/Layton properties. The Navy holds conservation easements over these properties and is required to conduct annual inspections.

Communications were held with Ron Bray and Mathew Douglas (County Agricultural Commission) and Scott Jaynes (beekeeper) regarding bees on RCA conserved lands. Mr. Jaynes had several thousand bee hives on the Wolfskill-Driscoll property. His bees were inundating a nearby dairy feed lot looking for forage, and the County Ag Commissioner was looking to remedy the situation. Mr. Jaynes was very cooperative in attempting to mitigate the issue using sugar water, a pollen substitute, a protein supplement, and moving a large portion of his hives off of the RCA-owned property. Despite these actions, the problem persisted through the end of the second quarter. RCA will consider further action to ensure this problem is fully mitigated.

An electronic means of documenting Management Action Data Sheets (MADS) was rolled out within the MSHCP Management Unit. Staff was trained on using smart phones and ArcCollector to document management activities. NRM Reinig spent time becoming familiar with ArcCollector and building maps in the backend of the program to be used for this and other mapping purposes.

An annual cost estimate for western pond turtle management was created for the future RCA Adobe Springs Ranch property. The purpose of the cost estimate was to delineate monetary

requirements for management of the property's turtles for which an endowment fund is being created.

A summary of work completed by the MSHCP Management Unit at the Soboba Donation properties was prepared and submitted to the Soboba Tribe for their annual report.

NRM Reinig and Natural Resource Specialist (NRS) Joseph Sherrock manned a booth at the annual Thompson Middle School Eco Fair in Murrieta.

All staff members attended Wildland Fire Safety Training.

Maintenance and Specialist staff attended the first annual Pesticide Safety Training held by Robert Williams (Parks Open Space).

A fair amount of time was spent by staff moving all office items so that the Parks District office building could be carpeted. The opportunity was used to thoroughly clean and organize office contents.

Appropriate staff attended monthly Western Riverside County Management and Monitoring, San Diego Management and Monitoring, RCA Management and Monitoring Coordination, and MSHCP Unit Staff meetings.

Patrol/Enforcement

Badlands HMU

Properties patrolled with no issues to report included CALMAT, Schmeling, and Wolfskill-Driscoll.

Cactus Valley HMU

Trespass activity continued on the Tax Sale 2012 property. The gate on the road entering the property is holding. However, two wheelers are creating a trail around it. A fence segment and rocks are planned to be placed to block the trail. An attempt was made by Ranger Robert Fountain to contact a deer hunter parked on the western boundary of the property. However, the hunter quickly left the area prior to contact.

Gavilan HMU

The Toscana Donation Phase 1 property was patrolled, and the riparian restoration areas on the property were checked. The restoration areas looked good, containing dense, native growth. A combination of fencing and native landscaping surrounds the conservation areas and should serve as good barriers to prevent unhindered access by the public.

While on patrol at the White Rock Phase 2 property, an abandoned vehicle was located in a hard-to-access canyon. A method of removing the vehicle is currently being devised.

Additional properties patrolled with no issues to report included: Bolton, Tax Sale #5, and Helmand.

Meniffee HMU

Off-highway vehicle (OHV) activity was seen on the Anheuser Busch property. Upon inspection, a cut fence access point was located and repaired.

A closed trail fence was found cut at Winchester 700 Murrieta with signs of mountain bike trespassing going through the property. The cut was repaired.

Additional properties patrolled with no issues to report included the Scheer and Roe properties.

San Jacinto HMU

At the EMWD San Jacinto River Conservation Easement, neighboring mobile home park residents were concerned about a rash of burglaries suspected as being caused by homeless in the river wash. After a thorough inspection, no encampments were found on the Conservation Easement parcels adjacent to Mountain View Mobile Home Park. Evidence of living quarters under the Bethlam road culverts off the property was found. Five bags of trash were removed from the property that had washed into it from the camp. Attempts to locate the camp's inhabitant were unsuccessful.

Additional properties patrolled with no issues to report included RCTC C Avenue, Pico Thompson, Riverdale, KB River, KB Homes, Hemet Donation, Pico Thompson, Wilhelm Ranch, Kaelin, and Warren Road Partners.

Sage HMU

Three separate repairs were made to the new Brian Bush property fencing. While a subcontractor of Anza Electric was responsible for one of these cuts (the subcontractor has an ongoing hazardous materials power pole cleanup project on the property), the remaining two cuts were OHV related. Due to the area's former role as an OHV hotspot, it may be some time before the riders give up on accessing the property.

Ranger staff responded to several issues reported by neighbor Joe Gonzales at the Odegaard and Terra Investors properties. A fence cut was located and repaired, and a stolen vehicle with equipment trailer was recovered by the Sheriff's Department. Joe Gonzales assured staff that trespass issues on the conserved lands have improved with the installation and upkeep of the property's gates and fencing.

During patrol, Ranger Fountain found all three gates cut open at the Bell-Weigel Properties. On each gate, the RCA, BLM, and Fire Lox Box locks were all cut. The gates were resecured and BLM was notified of their cut locks. On a separate occasion, Ranger Fountain's patrolling caused two dirt bike riders to quickly leave the property, going north on Via del Oro, using the horse step over access.

Ranger staff made multiple visits to the Temecula Creek Conservation Easement to check on the homeless encampment status. One camp was posted for eviction and subsequently cleaned up. Later, another camp was also posted for eviction. The camp appeared to be inactive, and plans for the removal of its contents are in place. Foot trails leading into the camps were blocked off with downed vegetation.

The Agua Tibia Donation was patrolled with no issues to report.

Santa Ana Mountains HMU

Following reports of a neighbor's heavy equipment entering the Maddock Conservation Easement, the property was checked and a motion activated camera was placed in the property's previously illegally cleared oak habitat. No visible, recent clearing or access was observed.

Additional properties patrolled with no issues to report included: Guzman, Skorpanich, Trans Clark, Santa Rosa TNC, Berger, Stockdale Phases 1 and 2, Tax Sale Parcels 2012, Cachia, Damietta Ranch, and Hong #2

San Timoteo HMU

Ranger Richard Chagolla made contacted with two separate private citizens whose contact information was found in piles of illegally dumped trash at the Oak Valley property. The two separate individuals were persuaded to return to the property to remove their trash piles.

While on patrol at the Chandlee property, several issues were noted. There was evidence of OHV trespass, some of the property's eucalyptus had been trimmed back or completely removed, and the newly installed RCA "Vacarro Ranch" sign had been destroyed. Vacarro Ranch is the historic name of the Chandlee property. The Foreman from the adjacent Spring Mountain Ranch construction site informed staff that a temporary gate across Pigeon Pass Road, from which the unwanted activity was originating, was to be installed.

Additional properties patrolled with no issues to report included Henry, Morrow, Lin, and Kramer.

Maintenance/ Fencing

General

Time was spent by maintenance staff outfitting the new maintenance truck. An air compressor was purchased and installed, and a generator/welder that was on hand was also permanently installed.

Cactus Valley HMU

The Park District's manlift was utilized so that maintenance staff could remove several dead pine trees that were located around the Goodhart shop.

Gavilan HMU

Staff worked to maintain site security of the properties off of El Toro Cutoff Road. A stolen car and dumped trash were removed from the Adams property. Staff scrambled to close three OHV trails that lead into this newly acquired property with trench work and rock blockades. At the North Peak 2 El Toro Road property, staff permanently closed the road entering the property at the southwest corner to prevent further dumping. Lastly, 42 trash bags were filled with dumped refuse and removed from El Toro Cutoff Road on the North Peak #2 property.

A one-quarter acre inactive marijuana grow was cleared from the White Rock 1 property. Staff had to regrade a trail into the northeast corner of the property in order to access the area. Two dump truck loads of material were removed from the grow area and deposited at the landfill. In addition, a metal plant nursery frame was dismantled and removed from the property. A 100-foot section of fence that was removed by the growers along the property boundary was reinstalled and signed.

The cleaned up area was then seeded with local buckwheat and black sage seeds and raked. A large number of non-native plants, including mustard, bassia and star thistle, were present in the disturbed area. These were treated with herbicide. One patch of arundo in the adjacent riparian area was cut, sprayed, and removed from the property as well.

The gate at the Reynolds property was completely destroyed by a vehicle. Plans to replace the gate are underway, but due to a new gate installed by Elsinore Public Works further down the access road, this is a low priority project.

A 150-foot fence segment was added at the Ordonez property along Gavilan Road to improve an existing OHV barricade.

Meniffee HMU

With permission from the private land owner, staff constructed and installed a new gate and fence segment along Lost Road at the easement right-of-way to the Nelson property. This gate should help discourage OHV riders from entering the Nelson and TET Sedco Hills properties, as well as private parcels.

The gate protecting the Evandel-Wilson and Evandel-Bergstein properties near the water tower on Keller road was reported as being damaged. Maintenance staff made repairs to the gate by welding it in the field.

Maintenance staff made repairs to the steel storage building at the Scheer property. These repairs included reinforcing the broken ridge beam and improving the steel door track and roller setup.

Sage HMU

Staff installed a new gate at the Bergman property. This solid gate replaced a cable gate that wasn't effective with OHV riders. The gate was fabricated with used metal material salvaged from the White Rocks property marijuana grow.

Staff repaired a 100-foot fence segment on the United Five Star Capital 2 property that had been damaged by a vehicle accident.

San Jacinto HMU

The San Jacinto River Ranchos and pre-escrow RCTC McAlister properties were fenced along Highway 74. Existing fence posts and old, downed wire were used for the project.

Two disbanded vehicles were removed from the Soboba Donation Phase 2 property. A dirt berm was installed on the property boundary along Soboba Road to discourage future vehicles from entering the river channel of the property.

In response to an uptick in OHV activity in the area, a 300-foot section of fencing was added to the existing fence line along the eastern boundary at the Higgins Nuevo property.

San Timoteo HMU

In order to improve an OHV barricade, staff installed 100 feet of ridgeline fencing and cable at the Pecuniary property.

A cypress tree was felled over an OHV trail to create a barricade, and fence repairs were made along San Timoteo Canyon Road at the Oak Valley property.

Sants Ana Mountains HMU

Post-Holy fire, there has been a large uptick in vehicles and OHVs entering the Bishop property. With the thick vegetation no longer standing, natural barriers no longer exclude these unauthorized activities. A 100-foot section of fence was installed in the wash along the eastern boundary of the property to cut off a newly created road entering the property. An additional 800-1,000 feet of t-post fencing will be required to resecure the remainder of property

Staff evicted two homeless camps, removed their abandoned belongings, and cleaned up several small areas of trash as part of the pre-escrow process for the soon to be acquired Kamyar property.

A cut cable gate at the Ranch Road Escarpment property was repaired.

Habitat/Species Management

General

Quarterly photo monitoring stations were completed at the CALMAT, Carlsbad, KB Homes, Warren Road Partners, and Wilhelm Ranch properties.

Gavilan HMU

Several moderate sized castor beans and several tamarisk seedlings and saplings were hand pulled from the pond area on the Bolton property.

Meniffee HMU

Staff spent two days at the Shaing property completing a vernal pool improvement project. For several years, this non-natural pool would regularly inundate with rainwater and western spadefoots would attempt to breed in it. Each year the pool would desiccate long before the frogs' tadpoles could metamorph, and entire cohorts were repeatedly lost as a result. To correct the issue, a small tractor was used to dig a 30 foot x 20 foot area at the center of the existing pool 24 inches deeper. A rubber aquatic safe pond liner was then installed, buried, and compacted.

NRS Sherrock conducted maintenance of the El Sol property's burrowing owl artificial burrows. Measures were taken to reduce flooding that was witnessed in the nest chambers of five burrows during the previous spring. An additional 10 burrows were cleared of soil that had been deposited in them by rodents.

The mountain bike restoration area at Winchester 700 Murrieta was seeded and raked with 3:1 buckwheat/black sage seed mix.

San Jacinto HMU

Management staff and Elizabeth Dionne of the RCA conducted a site visit at the Warren Road Partners Property in order to identify and map areas of high non-native vegetation cover to be used for upcoming mitigation restoration projects

Lakeview burrowing owl translocation –

A meeting with Thomas McGill (consultant for Lewis), as well as Eddy Kono, Scott Sewell, Tom Trakes, and Nick Peterson of California Fish and Wildlife, was attended by NRS Reinig. The San Jacinto Wildlife Area staff spoke of their plans to plant winter crops in large portions of the area recently mowed for burrowing owl habitat. After concerns were raised by MSHCP Management and Nick Peterson regarding a loss of foraging habitat for breeding owls, the Wildlife Area staff agreed to reduce their footprint of crop land. Discussions with Thomas McGill focused on various options with the Nuevo donation restoration. While the time to seed with native vegetation was soon, it was agreed that without the non-native Bassia on the property being controlled, the seeding could be a failure. Mr. McGill was hopeful that Lewis would fund a round of herbicide-irrigation-herbicide on the fields next spring and summer in an attempt to control the Bassia before seeding next fall.

The Nuevo Donation property continues to appear to be suitable burrowing owl habitat. Very sporadic Bassia regrowth was apparent across the property following the most recent herbicide application. These were hand weeded with the help of Work Release Program workers. At the end of the quarter, at least three burrowing owls were known to be utilizing the property.

River HMU

At the Teledyne property, all paths were harrowed for the first time of the season to maintain created Delhi Sands flower-loving fly habitat. The monthly photo stations were also visited.

Sage HMU

The scrub oaks at the Bell-Wiegel property that were planted on a decommissioned, unauthorized mountain bike trail were watered.

The wildlife guzzler at the Winchester 700 Reed Valley property was cleaned and refilled. A trail camera that was placed on the guzzler captured quail, mule deer, woodrat, bobcat, barn owl, Cooper's hawk, and western gray squirrel utilizing the water source in the first month of deployment.

San Jacinto HMU

A site visit was conducted at the SJRR property with Elizabeth Dionne of the RCA to assess the property's suitability as a reimbursement mitigation sight for Los Angeles pocket mouse.

Santa Ana Mountains HMU

In response to the Holy Fire, several ground and aerial photo points were established and revisited at the La Laguna, Bishop, Hannon, and Deetz properties. These photo points will be used to document post-fire habitat changes, as well as to monitor changes to the properties resulting from associated flooding, particularly in La Laguna's Rice Canyon.

NRS Sherrock hand weeded seedling Russian thistles across the Saddleback Munz's onion salvation site once a month. As a result, the site is clear of the noxious weed.

Fire Management/Weed Abatement

Weed abatement was completed at the Rindahl property.

Staff cleared vegetation around the Roe house as a fire preventive measure.

Acquisitions

Initial Site Inspections

Anheuser Busch Phase 9 – The property is typified by rolling hills with grasslands and patches of black sage dominated coastal sage scrub (CSS). An active, flowing spring was found to be present on the east side of the property. No issues were found upon inspection.

Chappel – The property is dominated by recently disked fields. Also on the property are patches of healthy coastal sage scrub and a large eucalyptus riparian strip. Several structures on the property were assessed to determine if they could be serviceable or would necessitate demolition. The 90-year old house, work shed, and two bunk houses are of simple construction and near the end of their lifespan. The large barn, which appears to be older, is also in a state of disrepair. The property has electricity and well water.

Chun – A preliminary pre-acquisition review was done on the property to assess access suitability pending acquisition. An appropriate access easement was found approaching the property from the north and will likely be granted by the current, adjacent property owner.

De Ortega – The property contains cottonwood riparian habitat and is adjacent to the western border of Geller Phase 2 and the northern border of Tax Sale Property 2010 in Temecula Creek. Some trash and dumping issues were found on the property and were reported.

Devcal – This large property contains 723 acres of healthy chaparral habitat dominated by chamise and redshank, with sugarbush, buckwheat, black sage, and several coast live oaks. A few road ruts were observed that appeared to provide marginal vernal pool habitat. An established OHV trail bisects the property leading into adjacent National Forest lands.

Nichols Donation – The property is composed of Riversidian sage scrub habitat dominated by brittlebush and buckwheat with prevalent non-native forbs (mustards, star thistle, and Russian thistle). Some small dumping issues and an approximately 1,000 gallon water tank were found on the property and were reported. In addition to the standard pre-acquisition review of the property, the site was visited with Elizabeth Dionne (RCA) to assess potential access points. Currently,

only foot access is possible from the east through a private parcel off of Lindell Road and an access easement will be required.

RCTC Dilworth #2 – Several shallow vernal swells were found to be present on the property, as well as a high level of rare and native plants. These features combine to make this property a great addition to the alkali vernal pool habitat east of Hemet. No issues were found upon inspection.

Tinkham – The property is covered in healthy coastal sage scrub/chaparral mix with few non-natives in the hills east of Lake Skinner. An active graffiti area was found and reported.

Toscana Donation Phase 3 –The property is dominated by sycamore/cottonwood riparian habitat. Evidence of frequent OHV activity was present across the property and will require access controls upon acquisition. Several small piles of trash were found and reported.

Tuscany Hills Phase 2 – The property is covered in nice coastal sage scrub habitat. Coastal California gnatcatcher was observed on the property during the pre-acquisition review. No issues were found upon inspection.

AGENDA ITEM NO. 8

Attachment 3

SANTA ANA WATERSHED ASSOCIATION

CONSULTANT REPORT
SAWA – BIOLOGICAL MONITORING PROGRAM
FISCAL YEAR 2018/2019 SECOND QUARTER REPORT

Report Covers Period: 10/01/18 – 12/31/18

Services provided during current work period:

Biological monitoring surveys conducted:

- Burrowing Owl artificial burrow condition assessment surveys (for management purposes).
- Tricolored Blackbird monitoring and habitat use at the San Jacinto Wildlife Area (SJWA).
- Tricolored Blackbird winter survey to locate flocks of wintering birds.
- Arroyo chub via electroshocking along 50-m stream transects in Core Areas.
- Stephens' kangaroo rat surveys via trapping grids on RCA property managed by Center for Natural Lands Management (CNLM) in Wilson Valley.
- Long-tailed weasel surveys via track plate boxes in the Banning Bench area, San Jacinto River and Wilson Valley.
- Rare plants via area-constrained visual encounter surveys at conserved locations known or suspected to support covered rare plant species.
- Engelmann oak recruitment surveys via sample plots in the Bautista area (Santa Rosa Hills); monitoring surveys at Wilson Valley, Estelle and Santa Margarita Ecological Reserve.

Collaboration:

- Collaborated with UC Cooperative Extension to plan upcoming Brand's phacelia habitat enhancement study.
- Participated in the annual Santa Ana Riverwalk to collect data on Santa Ana sucker habitat, coordinated by the Santa Ana Watershed Project Authority and other organizations and agencies on October 25.
- Collaborated with other organizations and agencies at the Brand's Phacelia Candidate Conservation Agreement (CCA) Meeting on October 30 at the Carlsbad FWS office.
- Collaborated with CNLM to plan Stephens' kangaroo rat monitoring efforts in Wilson Valley.
- Participated in the annual Sunnyslope clean-up effort in the Santa Ana River on December 5, coordinated by the Santa Ana Watershed Association.
- Avian Taxa Lead attended a Cactus Wren Conservation Strategy meeting in Carlsbad on December 10.
- Collaborated with the Inland Empire Resource Conservation District to install a soil moisture sensor at Teledyne, an occupied Delhi Sand Flower-loving fly site
- Several biologist participated in the annual San Jacinto Valley Christmas Bird Count on December 18; occurrence data were collected for 17 Covered Species during this one-day effort.
- Collaboration continuing with CNLM, SJWA, and Multi-Species Reserve on Burrowing Owl burrow check surveys.
- Coordination continuing with CA Department of Fish and Wildlife staff at SJWA regarding management of the Tricolored Blackbird breeding and foraging habitat, along with some discussion on Burrowing Owl.
- Collaboration continuing with the state-wide Tricolored Blackbird Working Group.

Accomplishments:

- Gathered useful data for Burrowing Owl; Tricolored Blackbird; arroyo chub; and rare plants, including Engelmann oak, graceful tarplant, and Brand's phacelia.
- Hosted three monthly monitoring/management coordination meetings with local land managers and wildlife agency representatives.
- Taxa and Survey Leads presented monitoring results for surveys conducted during the 2018 calendar year at the December monitoring/management coordination meeting.

Training

- All Hands Meeting occurred on December 13: cleaned and checked vehicles, discussed survey and report status.
- Engelmann oak survey training provided by the Taxa Lead on October 3.
- Delhi Sands flower loving fly post-survey meeting provided by the Survey Lead on October 3 to share monitoring results with staff.
- Long-tailed weasel survey training provided by the Taxa Lead on October 12.
- Several staff attended a regional Burrowing Owl coordination workshop on October 17.
- Several staff attended a wildlife camera trapping workshop, coordinated by USGS, on October 30.
- Program botanists attended the Southern California Botanist Symposium on November 3.
- Tricolored Blackbird winter survey training provided by the Project Lead on November 12.

Status of Deliverables

2015

- Species Occurrence Dataset: completed and submitted
- Survey Reports: completed and submitted
- Annual Report: completed and submitted

2016

- Species Occurrence Dataset: completed and submitted
- Survey Reports: completed and submitted
- Annual Report: completed and submitted

2017

- Species Occurrence Dataset: completed and submitted
- Survey Reports: completed and submitted
- Annual Report: completed and submitted

2018

- Species Occurrence Dataset: in progress
- Survey Reports: in progress
- Annual Report: in progress

AGENDA ITEM NO. 8

Attachment 4

**DOUGLAS P. WHEELER
HOGAN LOVELLS, US LLP**

QUARTERLY CONTRACT REPORT**WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY**

October-December, 2018

Year-end activity, at the close of the 115th Congress, was robust but ultimately unproductive. While a continuing resolution (CR) remained effective through December 21, the Congress and the President continued negotiations toward adoption of an FY 2019 budget, already long overdue. Among those agencies whose funding had lapsed is the Department of the Interior (DOI), which provides on-going support of the Authority's MSHCP. Although funding and other programs of interest had continued at FY 2018 levels until expiration of the CR, a **partial government shutdown** became inevitable upon the failure of negotiations, largely due to a stalemate over funding for a physical barrier at the United States-Mexico border. Thus—at this writing—the shutdown continues at DOI, with no activity on programs of interest to the Authority, and no funding for support of the MSHCP, including land acquisition grants under section 6 of the Endangered Species Act. Unfortunately, the 115th Congress was unable to authorize **appropriations for DOI and related agencies for FY 2019**, even though the Senate and House conferees had agreed on an appropriations bill under "regular order". It now falls to the 116th Congress to complete this unfinished business, but the stalemate continues. Observers suggest that the new Congress will eventually adopt and the President will sign an "omnibus" appropriations bill, covering all agencies, including DOI, which don't yet have an FY 2019 budget, or another continuing resolution to provide funding through September 30, the end of the fiscal year.

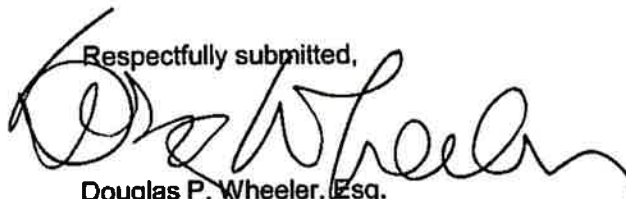
One important casualty of the budget stalemate was the Authority's proposal for the establishment of the **Western Riverside County National Wildlife Refuge**. Authority staff and consultants had worked closely with Congressional offices and their legislative counsel, notably including Representative Calvert and Senator Feinstein, to draft a bill which reflects the Board's criteria for a new Refuge on land that has already been identified and acquired for inclusion in the MSHCP. As drafted, the bill would provide for transfer of this habitat to the U.S. Fish and Wildlife Service for administration as a National Wildlife Refuge. In addition, the Service would be authorized to acquire from willing sellers and public agencies land within the plan area whose habitat values are worthy of inclusion in the Refuge. It had been expected that the refuge bill would be included in a "lands package" of related bills that could be enacted as part of an omnibus budget bill. Because—as noted above—the omnibus budget bill did not materialize, there was no year-end legislative "vehicle" for the lands package, including the Authority's refuge proposal. It is expected that **the bill will now be introduced in the 116th Congress**, possibly after hearings have been held in the House and Senate. Although Mr. Calvert is no longer a member of the Majority, he remains an influential member of the Interior Appropriations Subcommittee. The new Chair of the House Natural Resources Committee, Rep. Grijalva of Arizona, is expected to be sympathetic. In the Senate, Senators Feinstein and Harris, and staff of the Environment and Public Works Committee are familiar with the proposal, and are also expected to be supportive of the Authority's proposal. While the Administration has been generally averse to the establishment of new parks and refuges, the **Fish and Wildlife Service in California and Washington has expressed informal support for the Authority's proposal.**

The Authority's consultants have also explored other ways in which to finance habitat acquisition, and to adapt to changing circumstances in administration of the MSHCP. The undersigned provided a memorandum during this Quarter on **pathways toward amendment of the Implementing Agreement (IA)** to extend its term, perhaps indefinitely, and coverage, to include unanticipated infrastructure development. As written, the Agreement and the MSHCP provide for amendments to accommodate changed circumstances over time, but only with the approval of parties to the Agreement, including the state and federal wildlife agencies. Because the approval process and accompanying environmental review would thus be arduous, time consuming and possibly contentious, we recommend that the Authority give consideration to a legislative alternative.

The possibility of legislation to effect a plan amendment, along with concerns about delayed release of section 6 funding and the refuge proposal (above) were all **topics of frequent discussion** with members of the Congressional delegation and representatives of the Administration, including the Fish and Wildlife Service. At meetings with Congressional staff and their principals, the Authority's consultants stressed the need for continued **financial and political support of the MSHCP**, which has come to be recognized as the most successful of its kind. Consultants and staff have also met with organizations, including The Nature Conservancy, whose expertise and capital resources might be available to help meet the Authority's land acquisition goals.

Authority staff, including Executive Director Landry, and consultants also continued to provide leadership of the **National Habitat Conservation Planning Coalition (NHCP)**. At the Coalition's annual meeting in October, Landry led discussions of issues which arise in the development and implementation of MSHCPs, and shared insight from his experience in administering the Western Riverside program. Staff and consultants also participated in the range of regular NHCP activities, including membership in its Government Relations, Resource Development and By-Laws committees, and review of proposed revisions of ESA regulations which could affect the implementation of the Western Riverside MSHCP.

Respectfully submitted,



Douglas P. Wheeler, Esq.

Washington, D.C.

January 3, 2019

AGENDA ITEM NO. 9

**ELECTION OF VICE CHAIRPERSON
AND POSSIBLE APPOINTMENT
AND RATIFICATION OF THE
CHAIRPERSON'S APPOINTMENT
TO THE 2019 RCA
EXECUTIVE COMMITTEE**

Regional Conservation Authority

**ELECTION OF VICE CHAIRPERSON AND POSSIBLE APPOINTMENT
AND RATIFICATION OF THE CHAIRPERSON'S APPOINTMENT TO THE
2019 RCA EXECUTIVE COMMITTEE**

Staff Contact:

**Steve DeBaun, General Counsel
(951) 686-1450**

Background:

The RCA has a vacancy in the Vice Chairperson position. Staff requests that the RCA Board of Directors hold an election to select a new Vice Chairperson. Please note that the RCA Bylaws provide that "at least once every three years, the Chairperson or Vice Chairperson shall be a regular member of the Board who is a member of the Board of Supervisors." Therefore, next year a member of the Board of Supervisor must hold the Chairperson or Vice Chairperson position.

In addition, if the Board Member selected as the new Vice Chairperson is already a member of the Executive Committee it will be necessary for the Chairperson to appoint a new Executive Committee member and for the Board to consider ratifying said appointment.

Staff Recommendation:

That the RCA Executive Committee –

- 1) Recommend that the RCA Board of Directors hold an election for Vice Chairperson and, if necessary, that the Chairperson appoint a new member to the 2019 RCA Executive Committee and that RCA Board of Directors consider ratifying said appointment; and
- 2) Authorize staff to agendize this matter for the February 4, 2019 meeting of the RCA Board of Directors.

2019 RCA - Commonly Used Acronyms

ARL	Additional Reserve Lands
BUOW	Burrowing Owl
CALFIRE	California Department of Forestry and Fire Protection
CALTRANS	California Department of Transportation
CD	Consistency Determination
CDFG	California Department of Fish and Game
CDFW	California Department of Fish and Wildlife (<i>formerly CDFG</i>)
CEQA	California Environmental Quality Act
CETAP	Community and Environmental Transportation Acceptability Process
CHD	Critical Habitat Designation
CIP	Capital Improvement Program
CNLM	Center for Natural Lands Management
DBESP	Determination of Biologically Equivalent or Superior Preservation
EMWD	Eastern Municipal Water District
EPD	Environmental Programs Department (<i>Riverside County</i>)
ERP	Expedited Review Process
ESA	Endangered Species Act
FAST	Fixing America's Surface Transportation
FY	Fiscal Year
HANS	Habitat Evaluation and Acquisition Negotiation Strategy
HCP	Habitat Conservation Plan
HMU	Habitat Management Unit
IC	Interchange
IMER	Initial Management Evaluation Report
JPR	Joint Project Review
LDMF	Local Development Mitigation Fee
MOU	Memorandum of Understanding
MSHCP	Multiple Species Habitat Conservation Plan
OHV	Off-Highway Vehicle
PCL	Proposed Constrained Linkage
PQP	Public/Quasi-Public
PSE	Participating Special Entities
RCA	Regional Conservation Authority
RCD	Resource Conservation Districts
RCOE	Riverside County Office of Education
RCRCD	Riverside-Corona Resource Conservation District
RCTC	Riverside County Transportation Commission
RCTD	Riverside County Transportation Department
RMOC	Reserve Management Oversight Committee
ROVE	Recreation Off-Highway Vehicle Enforcement
SAWA	Santa Ana Watershed Association
SB	San Bernardino
SR	State Route
SWG	State Wildlife Grant
TAC	Technical Advisory Committee
TIFIA	Transportation Infrastructure Finance and Innovation Act
TUMF	Transportation Uniform Mitigation Fee
USFWS	United States Fish and Wildlife Service
UTM Nad 83 Zone 11	Meter Coordinate System for Maps
WA	Wildlife Agencies (<i>USFWS & CDFW</i>)
WCB	Wildlife Conservation Board
WIFIA	Water Infrastructure Finance and Innovation Act
WIIN	Water Infrastructure Improvements for the Nation
WPT	Western Pond Turtle
WRDA	Water Resources Development Act