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EXECUTIVE COMMITTEE

The Executive Committee, consisting of the RCA Board Chairman, Vice-Chairman, Past Chairman, and four members of the RCA Board, makes recommendations regarding personnel, administrative and financial matters, as well as provide guidance on a broad range of issues including target areas or types of habitats needed to remain in rough step. In addition, the Executive Committee may schedule Funding Coordination Committee workshops to discuss funding and acquisition strategy.

EXECUTIVE COMMITTEE

October 18, 2017 – Wednesday, 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

Marion Ashley, Chairman
County of Riverside, District 5

Jonathan Ingram, Vice Chairman
City of Murrieta

Jeffrey Hewitt
City of Calimesa

Eugene Montanez
City of Corona

Natasha Johnson
City of Lake Elsinore

Maryann Edwards
City of Temecula

John Tavaglione
County of Riverside, District 2

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, October 18, 2017
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 – September 20, 2017

7. WESTERN RIVERSIDE COUNTY MSHCP FEE COLLECTION REPORT FOR SEPTEMBER 2017

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 Report for September 2017; and
- 2) Authorize staff to agendize this matter for the November 6, 2017 meeting of the RCA Board of Directors.

8. FISCAL YEAR 2017 DEVELOPMENT IMPACT FEE ANNUAL ACCOUNTING REPORT

This item is for the RCA Executive Committee to:

Overview – Staff Report

- 1) Recommend that the RCA Board of Directors receive and file the Fiscal Year 2017 Development Impact Fee Annual Accounting Report; and
- 2) Authorize staff to agendize this matter for the November 6, 2017 meeting of the RCA Board of Directors.

9. FISCAL YEAR 2018 FIRST 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 2018 First Quarter Consultant Reports; and
- 2) Authorize staff to agendize this matter for the November 6, 2017 meeting of the RCA Board of Directors.

RCA EXECUTIVE COMMITTEE AGENDA

Page 3 of 3

October 18, 2017

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

11. CLOSED SESSION ITEMS:

11.1 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Initiation of litigation pursuant to paragraph 4 of subdivision (d) of Government Code Section 54956.9

Number of potential case(s): Three

12. ADJOURNMENT

The next meeting of the Western Riverside County Regional Conservation Authority Executive Committee will be held on Wednesday, November 15, 2017, 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

September 20, 2017



EXECUTIVE COMMITTEE MINUTES

www.wrc-rca.org

1. CALL TO ORDER

The meeting of the Western Riverside County Regional Conservation Authority Executive Committee was called to order by Chairman Ashley at 12:06 p.m., Wednesday, September 20, 2017, at 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
Marion Ashley, Chairman – County of Riverside District V Jonathan Ingram, Vice Chairman – City of Murrieta Jeffrey Hewitt – City of Calimesa Eugene Montanez – City of Corona Maryann Edwards - City of Temecula *John Tavaglione, County of Riverside District II	Natasha Johnson, City of Lake Elsinore

*Arrived after the meeting started.

3. PUBLIC COMMENTS

Chairman Ashley called for public comments regarding items not listed on the agenda. There were no public comments.

4. COMMITTEE MEMBER ANNOUNCEMENTS

Chairman Ashley called for Committee Member announcements. There were no announcements from Committee Members.

5. ADDITIONS/REVISIONS

Chairman Ashley asked if there were any additions/revisions to the agenda. Rose Haro, Administrative Manager, reported that there were not additions/revisions to agenda.

Chairman Ashley called for a motion to delete Agenda Item No. 10 from the agenda.

6. APPROVAL OF MINUTES – August 16, 2017

M/S/C (CITY OF MURRIETA/CITY OF TEMECULA) to approve the minutes of the August 16, 2017 Meeting of the Executive Committee as submitted.

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

7. WESTERN RIVERSIDE COUNTY MSHCP FEE COLLECTION REPORT FOR AUGUST 2017

Honey Bernas, Director of Administrative Services, presented the MSHCP Fee Collection Report for August 2017. The RCA received fees in the amount of \$1,559,007 for 392 residential permits and 113.80 commercial acres. There were 28 reported exemptions totaling \$56,868 in the City of Lake Elsinore. There were two reported civic/infrastructure projects. Riverside County Flood Control & Water Conservation District remitted \$15,020 for the Norco MDP Line N-1F Storm Drain and \$74,672 for the Monroe Channel, Stage 4, project. Total infrastructure contributions were \$89,692. For the month of August 2017, the total receipts were \$1,648,699.

M/S/C (CITY OF TEMECULA/CITY OF MURRIETA) to approve this item as recommended and authorize staff to agendize this matter to the October 2, 2017 meeting of RCA Board of Directors:

- 1) Recommend that that RCA Board of Directors receive and file the Western Riverside County MSHCP Fee Collection Report for August 2017; and
- 2) Authorize staff to agendize this matter for the October 2, 2017 meeting of the RCA Board of Directors.

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

8. RESOLUTION NO. 2017-006, RESOLUTION OF THE BOARD OF DIRECTORS OF THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY DECLARING SUPPORT FOR THE ESTABLISHMENT OF A NATIONAL WILDLIFE

***REFUGE WITHIN THE BOUNDARIES OF THE WESTERN RIVERSIDE COUNTY
MULTIPLE SPECIES HABITAT CONSERVATION PLAN***

Charlie Landry, Executive Director, turned the presentation over to Vice Chairman Ingram. Vice Chairman Ingram reported that he met with Member Agencies who had questions and expressed concerns regarding the Refuge when the item was heard at the Board of Directors meeting on June 5, 2017. He also met with developers and consultants that had questions or concerns. He advised that the issues and concerns brought forth were addressed in the resolution before the Executive Committee.

Charles Landry provided an overview of the steps needed to move forward with establishing the Refuge.

The Executive Committee members discussed the monitoring, maintenance, and possible location of the Refuge.

Michelle Ouellette, General Counsel, commented on the benefits of the proposed Refuge.

Chairman Ashley and the Executive Committee members thanked Vice Chairman Ingram for his efforts in finalizing this resolution.

M/S/C (CITY OF CALIMESA/CITY OF TEMECULA) to approve this item as recommended and authorize staff to agendize this matter to the October 2, 2017 meeting of the RCA Board of Directors:

- 1) Recommend that the RCA Board of Directors adopt Resolution No. 2017-006, *Resolution of the Board of Directors of the western Riverside County Regional Conservation Authority Declaring Support for the Establishment of a National Wildlife Refuge within the Boundaries of the Western Riverside County Multiple Species Habitat Conservation Plan; and*
- 2) Authorize staff to agendize this matter for the October 2, 2017 meeting of the RCA Board of Directors.

(6 Ayes, 0 Nays, 0 Abstain, 1 Absent)

Board Member Tavaglione arrived at 12:10 p.m. during the discussion on this item.

9. EXECUTIVE DIRECTOR'S REPORT

10.1 Introduction of new RCA Chief of Technical Information

Charles Landry, RCA Executive Director, introduced Phillip Kang, RCA's new Chief of Technical Information. The Executive Committee welcomed Phillip.

10.2 Update Concerning Annual Certification of MSHCP Program Participation for Measure A

Charles Landry, Executive Director, stated that this item is in reference to the City of Moreno Valley and advised the Executive Committee that the RCA and Moreno Valley had reached agreement on the settlement of outstanding fees. Vice Chairman Ingram was commended for his assistance in bringing the matter to resolution. Vice Chairman Ingram thanked Steve DeBaun, General Counsel, and Honey Bernas, Director of Administrative Services, for their efforts in this matter.

10.3 Update Concerning Status of Member Agency Agreed Upon Procedures

Charles Landry, Executive Director, stated that there are a number of items that RCA staff is finalizing with Member Agencies that will be placed on a future Board of Directors agenda.

General Counsel Steve DeBaun was asked if these items should be brought before the Executive Committee for approval. He advised that write-offs need to occur at the Board of Directors level. He further stated that all the fees that are included in the settlement were out of the statute of limitations and could not be recovered.

Vice Chairman Ingram stated that he wants to keep this issue as transparent as possible and ensure that all transactions are recorded appropriately in the accounting books. Board Member Montanez stressed the importance of these matters being well documented for future reference.

Vice Chairman Ingram stated that RCA needs to be more diligent in conducting their audits and needs to stand their ground when they are right so these issues are not repeated.

Board Member Montanez asked if there were any additional Member Agencies with statute of limitation issues. Honey Bernas, Director of Administrative Services, answered no and advised that RCA now requires Tolling Agreements.

Board Member Ingram suggested that Member Agencies be asked to provide RCA with copies of all their Development Agreements, as the audit issues are often due to these agreements. He would like RCA to bring forth a policy for Development Agreements that addresses vesting or mapping issues.

RCA EXECUTIVE COMMITTEE MINUTES

Page 5 of 5

September 20, 2017

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

Chairman Ashley called for future agenda items. Vice Chairman Ingram suggested that the agreements for resolution of fee issues be agendaized for the next Executive Committee meeting under Closed Session.

Vice Chairman Ingram requested a discussion concerning the Stephens Kangaroo Rat (SKR) Plan be placed on a future Executive Committee agenda.

11. ADJOURNMENT

There being no other items before the Executive Committee, Chairman Ashley adjourned the meeting at 12:32 p.m. The next meeting of the Western Riverside County Regional Conservation Authority Executive Committee will be held on Wednesday, October 18, 2017, 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
REPORT FOR SEPTEMBER 2017**

Regional Conservation Authority

**WESTERN RIVERSIDE COUNTY
MSHCP FEE COLLECTION REPORT FOR
SEPTEMBER 2017**

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 is the report for September 2017. The report was 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 Report for September 2017; and
- 2) Authorize staff to agendize this matter for the November 6, 2017 meeting of the RCA Board of Directors.

Attachment

- 1) Western Riverside County MSHCP LDMF Collection and Civic/Infrastructure Contribution Report for September 2017

AGENDA ITEM NO. 7
Attachment

**WESTERN RIVERSIDE COUNTY
MSHCP LDMF COLLECTION AND
CIVIC/INFRASTRUCTURE
CONTRIBUTION REPORT FOR
SEPTEMBER 2017**

**WESTERN RIVERSIDE COUNTY MSHCP LDMF COLLECTION AND
CIVIC/INFRASTRUCTURE CONTRIBUTION REPORT FOR SEPTEMBER 2017
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	August - No Activity					
City of Beaumont	August received in October					
City of Calimesa	August - No Activity					
City of Canyon Lake	August	1		\$2,031		
City of Corona	July		3.4	\$23,173		
	August - No Activity					
City of Eastvale	August - No Activity					
City of Hemet	July Correction			\$158		
	August - No Activity					
City of Jurupa Valley	August	63	8.1	\$183,887		
City of Lake Elsinore	August	20		\$40,620		
	Summerly Project ¹				32	\$64,992
City of Menifee	August received in October					
City of Moreno Valley	August	24	4.2	\$77,645		
City of Murrieta	July		1.2	\$8,435		
	August	1		\$2,031		
City of Norco	August	1		\$2,031		
City of Perris	August	1		\$2,031		
City of Riverside	July	9	3.8	\$40,852		
City of San Jacinto	August	39		\$79,209		
City of Temecula	August	6	3.7	\$36,098		
City of Wildomar	August	9		\$17,967		
County of Riverside	September	73	5.3	\$175,473		
Total LDMF Collections		247	29.7	\$ 691,641	32	\$64,992

CIVIC AND INFRASTRUCTURE CONTRIBUTIONS		
Riverside County Flood Control & Water Conservation District	Norco MDP Line NB 3	\$6,498
	Corona Drains Line 52	\$52,518
Total Civic/Infrastructure Contributions		\$59,016

TOTAL SEPTEMBER 2017 \$ 750,657

1) Summerly Project - Development agreement dated 8/24/04. Expiration date 9/23/14. Under review.

AGENDA ITEM NO. 8

**FISCAL YEAR 2017
DEVELOPMENT IMPACT FEE
ANNUAL ACCOUNTING REPORT**

Regional Conservation Authority

**FISCAL YEAR 2017
DEVELOPMENT IMPACT FEE ANNUAL ACCOUNTING REPORT**

Staff Contact:

**Honey Bernas, Director of
Administrative Services
(951) 955-2842**

Background:

In accordance with Government Code Section 66006 (b), RCA is required to prepare an annual accounting of the Development Impact Fee Funds. Additionally, the Government Code requires that the annual accounting be made available to the public no later than 180 days after the last day of each fiscal year. This information must be reviewed by the Board no earlier than 15 days after it becomes available to the public.

Staff Recommendations:

That the RCA Executive Committee:

- 1) Recommend that the RCA Board of Directors receive and file the attached Fiscal Year 2017 Development Impact Fee Annual Accounting Report; and
- 2) Authorize staff to agenize this matter for the November 6, 2017 meeting of the RCA Board of Directors.

Attachment:

Fiscal Year 2017 Development Impact Fee Annual Accounting Report

AGENDA ITEM NO. 8
Attachment

Fiscal Year 2017
Development Impact Fee
Annual Accounting Report



Development Impact Fee Annual Accounting Report Fiscal Year 2017

California Government Code Section 66006 requires an annual disclosure review of development impact fees collected and disbursements made. The disclosure portion of Section 66006 (b) requires that, within 180 days after the last day of the fiscal year, the Western Riverside County Regional Conservation Authority (RCA) shall make available the following information:

A. A brief description of the type of fee in the account or fund:

The Local Development Mitigation Fee (LDMF) is to be charged throughout the Plan Area on all development in order to assemble a 500,000 acre reserve which will protect and sustain endangered and threatened animals and plants and their habitats in a comprehensive way and allow local governments to expedite development and the construction of infrastructure, particularly transportation facilities.

B. The amount of the fee 2017:

Category	Fee Amount
Residential, density less than 8.0 dwelling units per acre (fee per dwelling unit)	\$ 1,992
Residential, density between 8.0 and 14.0 dwelling units per acre (fee per dwelling unit)	\$ 1,275
Residential, density greater than 14.0 dwelling units per acre (fee per dwelling unit)	\$ 1,036
Commercial (fee per acre)	\$ 6,780
Industrial (fee per acre)	\$ 6,780

C/D. The beginning and ending balance of the account or fund and the amount of the fees collected and interest earned (Government Code Sections 66006(b)(1)(C) and (D)):

Beginning Fund Balance (7/1/16)	\$ 15,291,406
Fees Collected:	
Fees Collected	\$14,024,055
Fee Credits Applied	<u>328,674</u>
Net Fees	14,352,729
Other Proceeds:	
Interest Earned	110,542
Reimbursement of prior purchases	<u>118,495</u>
Other Proceeds	229,037
Expenditures	<u>(17,397,355)</u>
Ending Fund Balance (6/30/17)	<u>\$ 12,475,817</u>



Development Impact Fee Annual Accounting Report Fiscal Year 2017

E. An identification of each public improvement on which fees were expended and the amount of the expenditures on each improvement, including the total percentage of the cost of the public improvement that was funded with fees:

Project Descriptions	Project ID	FY 2017 Reportable Fees	Percentage Funded with Reportable Fees
Jurupa Donation	16-011	\$ 9,111	22%
Live Oak Canyon (RLC) Property	16-012	14,603	5%
Live Oak Canyon (Hudson) Property	16-013	365,002	44%
Ordonez Property	16-014	249,769	52%
Toscana Donation Phase II	16-015	17,283	3%
Higgins Property	16-016	120,336	100%
Davis Property	16-017	288,260	100%
Riverpark Property	16-018	32,951	2%
Rancho Road Escarpment Property	16-019	651,881	100%
Jenkins Property	16-020	172,301	100%
Terra Investment Property	16-021	21,590	5%
Anheuser Busch Phases VI-VIII Property	16-022	8,894,345	73%
O'Connor Phase V Property	16-023	366,027	100%
Tax Sale Parcels 2015	16-024~25	39,044	100%
Conatser Conservation Easement	16-E02	7,339	36%
Spring Mountain Ranch Donation (PA4)	17-001	1,402	1%
Spring Mountain Ranch Donation (PA3)	17-002	1,402	1%
Hong #2 Property	17-005	209,303	100%
Hong #3 Property	17-006	405,551	80%
Bush Property	17-007	541,605	69%
Beresford Property	17-015	231,822	100%
French Valley Donation	17-016	12,757	16%
Bhathal Property	17-017	1,559,601	100%
McLaughlin Property	17-018	353,820	21%
Tax Sale Parcels 2016	17-019~23	65,723	100%
Torrez Property	17-024	170,935	100%
Cost Related to Land Acquired in Prior Years		102,289	100%
Properties of Interest Under Negotiation		278,368	85%
Capital Acquisition Administrative Cost		1,536,690	100%
Consultants: Capital Acquisition Strategies		498,270	100%
Consultants: Financial and Compliance Audits		148,469	100%
Property Insurance		29,506	100%
		<u>\$ 17,397,355</u>	



Development Impact Fee Annual Accounting Report Fiscal Year 2017

- F. An identification of an approximate date by which the construction of the public improvement will commence if the local agency determines that sufficient funds have been collected to complete financing on an incomplete public improvement, as identified in paragraph (2) of subdivision (a) of Section 66001, and public improvement remains incomplete.**

The RCA has determined as of the end of fiscal year 2017 that sufficient funds have been collected to finance a portion or all of the cost associated with the following properties:

Property	Estimated/Actual Acquisition Date
Allred Property	October 2017
Bechtel Property	October 2017
Katz Property	October 2017
Percival Property	November 2017
Bennecke Property	December 2017
Tax Sale Parcels 2017	June 2018

- G. A description of each interfund transfer or loan made from the account or fund, including the public improvement on which the transferred or loaned fees will be expended, and, in the case of an interfund loan, the date on which the loan will be repaid, and the rate of interest that the account or fund will receive on the loan.**

Not applicable. The RCA has not made any such interfund transfers or loans.

- H. The amount of refunds made pursuant to subdivision (e) of Section 66001 and any allocations pursuant to subdivision (f) of Section 66001.**

Not applicable. The RCA has not made any refunds pursuant to subdivision (e) of Section 66001 or any allocations pursuant subdivision (f) of Section 66001.

AGENDA ITEM NO. 9

**FISCAL YEAR 2018
FIRST QUARTER
CONSULTANT REPORTS**

Regional Conservation Authority

**FISCAL YEAR 2018 FIRST QUARTER
CONSULTANT REPORTS**

Staff Contact:

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

Background:

Attached are the Fiscal Year 2017 Fourth Quarter Consultant Reports for Dudek, Geographics, Kadash & Associates, LLP, 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 2018 First Quarter Consultant Reports; and
- 2) Authorize staff to agendize this matter for the November 6, 2017 meeting of the RCA Board of Directors.

Attachments:

Fiscal Year 2017 Fourth Quarter Consultant Reports

- Attachment 1 – Dudek
- Attachment 2 – Geographics
- Attachment 3 – Kadash & Associates, LLP
- Attachment 4 – Riverside County Regional Parks and Open-Space District
- Attachment 5 – Santa Ana Watershed Association
- Attachment 6 – Douglas P. Wheeler, Hogan Lovells, US LLP

AGENDA ITEM NO. 9
Attachment 1

DUDEK

**CONSULTANT REPORT
DUDEK
FISCAL YEAR 2018 FIRST QUARTER REPORT**

Report Covers Period: 07/01/17 to 09/30/17

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 several 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. Trainings sessions were held during the fourth quarter of 2017 on April 10 and April 17.

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. Meetings with EPD this quarter were held on July 5, August 2, and September 6, 2017. Also discussed was that 1) RCA needs to review fencing plans prior to issuance of grading plans, and 2) County needs to update its website to make it clear that the \$1,500 fee is a deposit only and additional fees will be required to be paid to RCA before release of the JPR Findings.

On August 28, 2017, Dudek also attended a workshop for the RCA Board and Riverside County Transportation Commission (RCTC) Board held by RCA and RCTC staff to present the benefits of the MSHCP.

Dudek staff continued to provide ongoing support and attended meetings with Permittees on 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.

Wildlife Agency Coordination and Meetings

Dudek attended three monthly meetings with U.S. Fish and Wildlife Service (USFWS) and California Department of Fish and Wildlife (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 August 17 and September 21, 2017. Projects and

issues discussed included San Jacinto Levee #4 (lead by Joanna Gibson, CDFW), El Toro Ethanac Expressway, Temescal Canyon Road Bridge Replacement project, the Savage property, Hamner Avenue Bridge, South Milliken (Eastvale) Delhi sands flower-loving fly (DSFLF) issues, Agua Mansa DSFLF issues, B Canyon box culvert improvements, and Villages of Lakeview issues regarding trails, access, and fencing. Also discussed were the affected acreages relative to Figure 7-1 Covered Roadways. Also discussed was 1) the “draft” Minor Amendment for Road Maintenance, and 2) refuges owned by Agencies but still have privately owned vested mining rights on the property.

Dudek also participated in three 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 agencies this quarter were held on July 12, August 8, and September 13, 2017. Projects and issues discussed included Larchmont Business Park, Pinnacle Senior Living Center project, and Temescal Canyon Road Bridge Replacement project. Also discussed were homeless encampments in Temecula and how to address permitting associated with removal of riparian vegetation (attended by Stuart Kuhn, City). In addition, there was a discussion regarding the in-lieu fee program and next steps (Jim Thiede, USFWS, to review).

RCA, the Wildlife Agencies, regulated waters agencies, Dudek, the applicant, Helix staff, and City of Murrieta staff attended a site visit on July 11, 2017 for the proposed Larchmont project. Ongoing issues include the extent of jurisdiction, appropriate required mitigation, and least Bells’ vireo.

RCA, the Wildlife Agencies, regulated waters agencies, Dudek, and the City of Lake Elsinore consultants attended a site visit on August 25, 2017 for the Temescal Canyon Road Bridge project. Ongoing issues include the extent of jurisdiction, appropriate required mitigation, and restoration to include an adequate width of Linkage 6 in order to maintain its function.

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 PSEs. Dudek remains involved in all processing of Southern California Edison PSE application reviews and follow-up after approval, as well as pre-application coordination. Consistency Findings for the West of Devers System Upgrade Project (WODUP) were issued on December 26, 2016. Resubmittal of revised reports [based on revised design, updated biological information, and replacement of Additional Reserve Lands (ARL) and Public/Quasi-Public (PQP) lands] is pending. SCE submitted a memo to RCA on September 7, 2017 regarding the project’s status that also included a request to start some of work that does not involve any impacts to MSHCP resources. Coordination between Dudek and SCE is ongoing to help with their questions regarding revised reports and mitigation.

Lockheed Martin Corporation submitted two PSE applications on December 13, 2016, one for remediation at Site 1 Potrero Canyon and the other for remediation at Site 2 Laborde Canyon. Since that time, there have been multiple rounds of comments and revisions, and coordination is ongoing with TetraTech to assist them in addressing the comments. Their schedule for Site 2 has

been accelerated, and a revised submittal was received on June 23, 2017. Some of the comments and MSHCP requirements were still left unaddressed. As such, additional assistance was provided to Tetra Tech in an effort to make this the last round of revisions. The revised documentation was submitted on September 30, 2017 and the review is again underway.

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, as described above. Dudek is also assisting RCA management in the training of new staff relative to JPR processing.

AGENDA ITEM NO. 9
Attachment 2

GEOGRAPHICS

**CONSULTANT REPORT
GEOGRAPHICS
FISCAL YEAR 2018 FIRST QUARTER REPORT**

Report Covers Period: 7/1/17 – 9/30/17

Services Provided During Current Work Period:

Public Information and Branding Services
Website Updating and Hosting

Branding Services:

A new tablecloth with the RCA logo and Riverside County Parks logo was designed and produced by Geographics for staff use at events.

A request was made to provide all photos taken by Geographics over the past several years. All photos were collected and saved as JPGs for RCA's internal photo library.

Website Hosting:

In July, it was decided that RCA wished to host the website internally. A copy of the website was made and backed up, and the Rackspace server was shut down.

AGENDA ITEM NO. 9
Attachment 3

KADESH & ASSOCIATES, LLP

**CONSULTANT REPORT
KADESH & ASSOCIATES
FISCAL YEAR 2018 FIRST QUARTER REPORT**

Report Covers Period: 7/1/17 – 9/30/17

Services Provided During Current Work Period:

- 1- Budget and Appropriations for FY2018;
- 2- Follow up to the June RCA fly-in regarding the National Wildlife Refuge system; and
- 3- Preparation for WRRCRA plenary meeting on August 28, 2017.

Legislation and Issues:

The ongoing focus of the RCA and HCP Coalition activities continued to be on robust funding of relevant habitat programs and the successful rollout of the WIFIA program by the EPA which includes a drought resiliency provision designed by the RCA, as well as exploration of National Wildlife Refuge system.

July and August –

The Senate and House were both in session for three weeks in July. The House adjourned at the end of July as planned, but the Senate stayed in session an additional two weeks to address the Republican Majority proposed plans to Repeal and Replace of Obamacare, which ultimately failed.

July featured the culmination of the very compressed Fiscal Year 2018 Appropriations process in the House. The House passed a “minibus” of four bills -- Defense/Energy & Water/Leg. Branch/Macon-VA as H.R.3219 on 07/27/2017 by a vote of 235 – 192.

The House has combined its remaining eight bills under the Interior Appropriations bill – H.R.3354 – and set plans to move that Omnibus package in September.

The Senate made limited progress in its Appropriations schedule, but moved the following bills through full committee: Ag-FDA; Commerce-Justice-Science; Energy & Water; Legislative Branch; Mil Construction-Veterans Affairs; and Transportation-HUD.

The House and Senate transportation and infrastructure related committees continued to hold hearings, particularly on FAA reform, but no large-scale infrastructure bill appeared in sight for this year. Several Senators announced plans to roll out infrastructure ideas and bills in the fall in order to prepare the policy ground as they await a Trump Administration proposal. The Senate EPW Republicans said that they would release their own package of ideas in early September and hold a hearing on September 20 (ultimately, they did not).

Prepared a Federal Update memo for the August 28, 2017 WRCRCA plenary meeting in Riverside, CA.

September –

The House was in session for three weeks in September and the Senate for four. The House combined its remaining eight bills under the Interior Appropriations bill – H.R.3354 – and passed that Omnibus package, including four other appropriations bills previously passed in July. Also passed were a Continuing Resolution through December 8, 2017 and a Debt Ceiling extension through the same date. Final attempts in the Senate to pass a repeal/replace of Obamacare failed to be brought to the Senate floor for a vote, thereby missing the September 30 deadline to use a pending FY17 Reconciliation opportunity which has now expired.

In September, Congress returned following the August recess and immediately passed a supplemental appropriations bill to cover the federal costs associated with hurricanes Harvey and Irma. This bill contained a continuing resolution to fund the government through December 8. This bill also extended the debt ceiling until December 8 and recent reports suggest that, through this action, the debt ceiling will not be reached until early next year. Combined, these actions suggest December will be a very busy month in Congress. The House passed and consolidated its FY18 appropriations bills into one package. The Senate Appropriations Committee continues marking up its bills, but still has no plans to consider appropriations bills on the floor.

Additionally, in September both the House and Senate unveiled draft FY18 budget resolutions. The budget process will be used as the vehicle to address tax cuts proposed by the White House. Reconciliation instructions are the actual vehicle for tax cuts and following this process means the bill cannot be filibustered in the Senate. The appropriations and tax cuts discussions are ongoing and we will keep staff apprised of new developments.

The Senate Budget Committee plans to markup on October 4 and 5 the FY18 budget resolution that Republicans intend to use to push through \$1.5t in tax cuts in coming months. Floor votes are planned later in October and a conference to resolve differences with the House after that. Once in place, the budget resolution would allow Republicans to bring up a tax-cut bill that would increase deficits by as much as \$1.5t, compared with a CBO baseline.

The Senate budget proposal also would use a fast-track process to open up drilling in Arctic National Wildlife Refuge, but doesn't contain language to aid a full repeal of Obamacare after the failure of several efforts made by Republicans this year. The Senate Budget, authored by Senate Budget Chairman Mike Enzi, forecasts a balance in nine years through \$5t in largely unspecified spending cuts. Unlike the House budget proposed in July, Enzi's blueprint doesn't call for cuts to Medicaid or a partial privatization of Medicare.

Meanwhile, in the House, H. Con. Res. 71, the FY 2018 Budget Resolution was approved by the House Budget Committee. Other major proposals, such as rolling back parts of the Dodd-Frank financial law, could also be included. However, lawmakers said repealing the Affordable Care Act -- the focus of the fiscal 2017 reconciliation effort -- probably won't be revisited until the fiscal 2019 budget process. In fiscal 2018, the measure would permit \$1.13 trillion in discretionary spending. The House Appropriations Committee used the same total when it set its 302(b) allocations, which limit spending in the 12 regular appropriations bills. The House passed a 12-bill omnibus appropriations measure (H.R. 3354) on Sept. 14.

EPA: The House budget calls for reducing the Environmental Protection Agency's budget, including eliminating its Office of Regulatory Policy and Management.

SANCTUARY CITIES: The House Budget says that law enforcement grants and other federal funds could be withheld from cities with policies to shield undocumented immigrants from federal officials, and that the House could act on bills (H.R. 83, H.R. 3003) that would do so.

TRANSPORTATION: The measure includes a reserve fund for legislation that would privatize air traffic control, as proposed in H.R. 2997, as well as for investments in national infrastructure that's deficit neutral from fiscal 2018 through 2027. It assumes the reduction of federal subsidies for Amtrak, a prohibition on funding for high-speed rail, a phase out of the capital investment grants -- or New Starts -- of the Federal Transit Administration, and the elimination of the Transportation Investment Generating Economic Recovery (TIGER) grant program.

The House Budget Committee approved a draft version of the resolution by a 22-14 vote along party lines on July 19. Chairman Diane Black (R-Tenn.) formally introduced it July 21. House Majority Leader Kevin McCarthy (R-Calif.) said the House would consider the budget plan the week of Oct. 2. A simple majority would be required for adoption. During debate on a budget resolution, the House typically considers alternatives from the minority party and groups such as the Republican Study Committee and the Congressional Progressive Caucus. As a concurrent resolution, budget resolutions aren't sent to the president for signature, but are binding on the House and Senate as they consider legislation.

Infrastructure Outlook:

Previously, we reported that the Senate EPW Republicans might release their own package of ideas in early September and hold a hearing on September 20. This did not occur and has not been publicly rescheduled. Meanwhile, on September 29, 2017 the Democratic members of the EPW Committee requested a meeting with Elaine Chao, Secretary of the Department of Transportation (DOT), so that she can share details regarding the Trump Administration's long-awaited infrastructure investment plan.

At a hearing before the EPW Committee in May, Secretary Chao had stated that the Administration's infrastructure principles would be released at the end of May and would be followed by a legislative proposal in the third quarter of 2017. In a letter led by Ranking Member Tom Carper (D-Del.), the lawmakers wrote, "[President Trump's] message was one that resonated with the American voters, just as it appealed to us as members of Congress, eager to lay the foundation for investments that would create jobs, improve our economy, and enhance the quality of life in communities throughout the country. Senate Democrats have put forward our own 'Blueprint to Rebuild America's Infrastructure,' which would invest \$1 trillion in our nation's infrastructure, creating over 15 million American jobs. We stand ready to work with our Republican colleagues on a significant infrastructure effort such as the one we have proposed. We request that you and any other appropriate Administration officials meet with us to share the Administration's long-awaited infrastructure plan. Following quickly thereafter, we would hope that you will be able to formally transmit the Administration's plan to Congress so that we may understand the Administration's priorities as we get to work on developing a comprehensive infrastructure investment package." Senator Carper was joined by Senators Ben Cardin (D-Md.), Bernard Sanders (I-Vt.), Sheldon Whitehouse (D-R.I.), Jeff Merkley (D-Ore.), Kirsten Gillibrand (D-N.Y.), Cory Booker (D-N.J.), Edward J. Markey (D-Mass.), Tammy Duckworth (D-Ill.) and Kamala Harris (D-Calif.).

House Transportation Committee to Hold Two Subcommittee Hearings in Early October on Building a 21st Century Infrastructure

The Committee on Transportation and Infrastructure will hold two subcommittee hearings to gather stakeholder perspectives that will assist the Committee on developing proposals focused on building a 21st century infrastructure for America. The Subcommittee on Coast Guard will hold a hearing focused on the gathering of stakeholder perspectives on America's maritime infrastructure and capacity needs. The hearing of the Subcommittee on Coast Guard and Maritime Transportation, chaired by U.S. Rep. Duncan Hunter (R-CA), is entitled, "Building a 21st Century Infrastructure for America: Coast Guard Stakeholders' Perspectives and Jones Act Fleet Capabilities."

The Subcommittee on Railroads, Pipelines, and Hazardous Materials will hold a hearing to gather stakeholder perspectives from the railroad industry, suppliers and labor on rail infrastructure investment. The hearing of the Subcommittee on Railroads, Pipelines, and Hazardous Materials, chaired by U.S. Rep. Jeff Denham (R-CA), is entitled, "Building a 21st Century Infrastructure for America: Rail Stakeholders' Perspectives."

Outlook:

If passed and signed into law, the House Interior bill, H.R. 3354, acting as the vehicle for the Omnibus contains on p. 58 – <https://appropriations.house.gov/uploadedfiles/23918.pdf> -- the following requirement for EPA:

“Administrator Priorities. —EPA is directed to submit a report within 90 days of enactment of this Act that identifies how any fiscal year 2016 and 2017 funding was used, by account, program area, and program project. Each activity funded should include a justification for the effort and any anticipated results.”

Questions and Comments -

It is the pleasure of Kadesh & Associates to serve the RCA. If this report generates any questions, please direct them to Dave Ramey at 202-549-1519 or dave@kadeshdc.com. Thank you.

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AGENDA ITEM NO. 9
Attachment 4

RIVERSIDE COUNTY
REGIONAL PARKS and
OPEN-SPACE DISTRICT

**CONSULTANT REPORT
RIVERSIDE COUNTY PARKS AND OPEN-SPACE DISTRICT
FISCAL YEAR 2018 FIRST QUARTER REPORT**

Report Covers Period: 07/01/17 – 09/30/17

Services Provided During Current Work Period:

72 Work Release Program hours were utilized during the First Quarter of FY2018

Patrol/Access Control/Maintenance

General Administration

Staff received 2 F250 Ranger patrol trucks. Both trucks were inputted into the County Fleet system, equipped with light bars and are ready for use by staff.

Class A trailers and dump truck were prepared for DOT inspection. Trailer had some small hairline cracks in the weld but it has been fixed and ready for follow up inspection.

Completed Natural Resources Specialist position interviews. The job offer was extended to Joseph Sherrock given his knowledge of the plan and local flora/fauna. Joe will be tasked with maintaining ArcGis (Map, Collector and Survey) data for the Unit and developing a working plan for public outreach to the middle school career day and their environmental initiative program. This is on top of pre-acquisition reviews and other seasonal species-dependent duties.

Badlands HMU

Calmat: Staff spent 1 day spraying new Russian thistle regrowth. 2.5 gallons of chemical was used to get a hold of new regrowth.

Cactus Valley HMU

Bautista Canyon Reserve (Structure Demolition): The asbestos removal has been completed and the subcontractor has left the premises. Per code the old septic tank needed to be pumped empty, County Demolition Permit was obtained and an AQMD permit application was submitted. Dig-Alert will come through 1 week before demolition of the two structures.

Border fencing along Reserve and Mr. Kelly was completed at the Bautista Property. The 6 orange trees Mr. Kelly recommended removing due to orange pest control were felled and bucked as well.

McLaughlin property: WCB signage was fabricated and installed. Posting of RCA boundary signs has begun and a few more key areas need to be addressed. Staff is working with J. Reinig

on posting mountain bike trails leading into McLaughlin from Simpson Park, and trails winding their way east to Bautista.

On patrol the gate in place at Tax sale 2012 Blackburn canyon was found broken and pushed a side. It was chained back into place. Gate project with USFS will take place after the hunting season.

Gavalin HMU

Ranger Chagolla was patrolling in the Gavilan Hills North Peak property when he spotted two individuals in action, quickly removing items from an electrical contractors work van. They quickly left the scene of the van when they realized he was watching them. Ranger Chagolla notified his Supervisor and Law Enforcement. He followed them out of the area by staying safely far back and following their tire tracks. He lost track of them in a neighborhood. CHP responded to the call near Highway 74. The Lake Elsinore Police department responded to the location of the van and found it had been reported stolen that morning. The stolen van and most of tools were recovered by the owner but the thieves were able to get away.

Staff made repairs to fencing at Toscana Donation Dawson Canyon gate area. OHV traffic has broken the fence in two areas. Temporary repair has placed our combination lock back in working order for multi-agency access. Ranger Chagolla is working with Edison for repair of the lock box on the gate there and replacement of the Lake Street access gate.

Menifee HMU

WinMur700: We are ready to officially open revised trails. RCA received permission from lead maintenance worker from the City of Murrieta maintain all kiosk trail maps. Maps have been produced and laminated and will be installed during the second quarter. Trails are unofficially open, true to map, at the time of this report.

Riverside HMU

Teledyne: Routine patrols to check on vegetation and weather station.

San Jacinto HMU

Staff created two vehicle barricades to prevent traffic and dumping accessing the San Jacinto River Ranchos property from the bank owned adjacent property. More individuals are discovering the access point now that the adjacent property is no longer occupied and taking advantage.

San Tim HMU:

Hudson-Live Oak Canyon: Staff completed property walk with Redlands Conservancy. They will no longer disk the area previously disked this year on RCA land. It was their operator error and it will not happen again. We did discuss a potential CSS restoration project, but not in great detail. Redlands Conservancy is planning on growing native plants and once they get up and running we discuss a plant palette and project design. For now we will keep OHV off and handle all weed abatement issues in house. They may ride horse back through our field gate as long as groups do not exceed 10 riders.

Oak Valley: One person was detained and ticketed by Calimesa PD. Subject attempted to flee RCA Ranger while on patrol during the Palmer Fire. Ranger Chagolla attempted to stop the individual to let him know this was a closed off area and an active fire incident. Subject sped off at which time Ranger Chagolla called Deputy Rios who he had just spoken to near the Singleton

gate. Deputy Rios stopped the individual and after not being compliant the subject was handcuffed, searched and ticketed for both County and City ordinance infractions as well as California Vehicle Code violations. A full report has not been completed by Deputy Rios at the time of this report.

Sage HMU:

Bell/Wiegler: has been patrolled multiple times during the month of July, August and September. On top of patrols Ranger Rodriguez and D. McLain conducted a site visit with adjacent homeowner Kim Yarger. The purpose of the site visit was for Ms. Yarger to show staff areas that were being utilized as new trail use or new trail construction. Neither of those two concerns were found to occur on RCA lands. Ms. Yarger could not explain why the trails were not here any longer. Rancho California Water District has installed their new gate at the water tank which will prevent unwanted parking and mountain biking staging.

Staff completed the replacement of the broken gate at United Five Star on El Conquistador Rd. The replacement gate and upright is a brand new gate and the project is completed.

Habitat/Species Management

DSFLF Teledyne Survey: On-going surveys and vegetation management was completed for the Delhi sands flower-loving fly.

Artificial Burrow Checks: Staff completed artificial burrow maintenance checks at El Sol, Hidden Valley and McElhinney-Stimmel.

SKR vegetation mowing was completed at the JPR6 and Cordova properties. Lots of SKR activity in the area.

Aquatic Invasive Removal/Turtle Trapping:

Cornerstone: Electro-shocking nonnative removal with S. Miller and crew of 5 from BMP office. Shocked entire length of creek in property minus about the 200 yards of the most upstream and downstream portions (prioritized middle section due to time and because of high concentration of pools). Overall much less nonnative fish than at Win Mur 700. Destroyed: Crayfish (293), Bullfrog (1 adult)/430 tadpoles. Green sunfish (2) adult. Property has overall far fewer bullfrogs than Win-Mur 700.

One week of turtle trapping with help from BMP Office. Set 26 traps along entire stream length of property. 4 adult turtles caught with two receiving radio transmitters. During course of trapping also removed 6 adult green sunfish and 38 adult crayfish. Dead skinned raccoon found in northern section of property.

Winchester Murrieta 700: One day electro-shocking nonnative removal with crew of 3 from BMP office. Water flowing in upper section, with water levels in pools much higher than during previous nonnative removals. Destroyed: Crayfish (80), Bullfrog (2 adult, 3 juvenile, 44 tadpole), Green sunfish (8 adult, ~5000 juvenile), Black Bullhead (6 adults), and Fathead minnow (54).

Santa Ana River: Two days assisting Santa Ana River HCP with their Santa Ana sucker surveys. Also joined by SAWPA, SBVWD, RCRCDC, USGS (Sacramento and Colorado crew) and

University of Colorado Crew (who are conducting endocrinology studies of fish in treated wastewater).

Fire Management/Weed Abatement

Lake Skinner Investors: 20 acre fire broke out on the hillside. CALFIRE responded with hand crews, two dozers, and helicopter. The cause of the fire came from a combine-flail mower cutting dry crops in the field to the east. Staff will look at erosion issues and potential effects on seasonal ponds used by spadefoot toads and other invertebrates.

Licata: <0.5 acres. Fire started west off the Licata property by a property owner string trimming his property. The fire was 3 acres in total but only affected the western border of the Licata property.

Rivera/Hizon/Ferdido/Shoppe: 2.0 Acres. Fire started west off the Rivera property by an undetermined source. The fire was 92 acres in total but only affected the western area of the Rivera property.

Palmer Incident: In total (RCA + Non RCA Land), 3874 acres was burned, approximately 1000 acres of RCA land comprised of both Oak Valley and Hudson-Live Oak properties. All dozer lines were repaired and water bars were installed (where needed) by CALFIRE hand crews. The partial dozer line that went thru the creek was repaired by CALFIRE and will be monitored by RCA Land Management. Access and erosion controls have been implemented by field staff. A full, after incident management plan, is being put together by J. Reinig and D. McLain.

Staff completed weed abatement on Casa Modelo, Rafco (2nd cut), Hariton, Oak Valley/San Tim Canyon Road, Elsinore Lakeview Estates, and Stockdale. All properties were mowed or string trimmed to County compliance.

Acquisitions

Initial Site Inspections:

Murrieta Marketplace: Multiple inspections. After careful inspection it was found that the drainage culvert and service road to the culvert does fall within the future RCA property. This was determined using witness markers in the field and taking GPS coordinates. Markers are still absent in the south west section but the lone marker present does place the drain outlet on the RCA property. There may be an issues with one electrical box being on the future property as well that we may need to include in the access agreement/easement.

Best property: Pre-acquisition review. No trash or markers. No access from north. Must access via rough 4x4 roads from the south (Estelle).

Demuth: Pre-acquisition review. No trash or witness markers.

AGENDA ITEM NO. 9
Attachment 5

SANTA ANA
WATERSHED ASSOCIATION

**CONSULTANT REPORT
SAWA – BIOLOGICAL MONITORING PROGRAM
FISCAL YEAR 2018 FIRST QUARTER REPORT**

Report Covers Period: 07/01/17 – 9/30/17

Services provided during current work period:

Biological monitoring surveys conducted:

- Carnivores via motion-triggered cameras in habitat linkages.
- Aguanga kangaroo rat surveys via live-capture trapping grids within modeled suitable habitat in Anza. Habitat surveys via point-intercept transects at trapping grid location.
- Golden Eagle via United States Geological Survey (USGS) territory surveys.
- Burrowing Owl pair count surveys via binoculars, spotting scopes, and trail cameras at locations with owls to determine numbers of breeding pairs and nest outcomes.
- Riparian bird surveys via transect surveys and nest monitoring.
- Tricolored Blackbird surveys via a state-wide effort to estimate numbers of breeding birds.
- Terrestrial herpetofauna via grid-based visual searches for lizards and snakes and one pilot night survey.
- Santa Ana sucker survey via use of a GoPro camera (Sunnyslope).
- Western pond turtle surveys via trapping within appropriate aquatic habitat in a previously occupied area (Warm Springs) and two areas not previously surveyed (Sunnyslope and Cornerstone).
- Red-legged frog scouting surveys at Rouse Ridge.
- Targeted Mojave tarplant (*Deinandra mohavensis*) observations via area-constrained visual encounter surveys at conserved locations to determine the extent of the population.
- Delhi Sands flower-loving fly via visual encounter surveys along line-distance transects at recently occupied locations to confirm annual reproduction and determine density.

Collaboration:

- Coordination continuing with CA Department of Fish and Wildlife staff at the San Jacinto Wildlife Area (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.
- Collaboration continuing with USGS and their Golden Eagle territory surveys.
- Collaboration continuing with CNLM on the Burrowing Owl pair count surveys.
- Collaboration begun with Dr. Doug Yanega (UCR) regarding Delhi Sands flower-loving fly.
- Collaborated with OCWD, SAWA Wildlife Habitat Management Services, and MSHCP Management with turtle trapping and invasives removal at various locations.
- Collaborated with SAWA Wildlife Habitat Management Services with Santa Ana sucker surveys at Sunnyslope on July 18.
- Collaboration with other environmental entities at One Water One Watershed (OWOW) Natural Resources Stewardship Pillar Meeting on July 27.
- Collaborated with Leonard Nunney (UCR) and his graduate student, Yuwei Cui, on kangaroo rat tissue sampling for DNA analysis. Collection occurred during trapping the week of September 11.

- Collaborated with other environmental entities regarding the Regional California Gnatcatcher Monitoring Meeting on September 22.

Accomplishments:

- Gathered useful data for carnivores (coyote, bobcat), Aguanga kangaroo rat, Stephens' kangaroo rat, Dulzura kangaroo rat, northwestern San Diego pocket mouse, San Diego desert woodrat, Los Angeles pocket mouse, Golden Eagle, Burrowing Owl, riparian birds, Tricolored Blackbird, terrestrial herpetofauna, Santa Ana sucker, western pond turtle, rare plants, and Delhi Sands flower-loving fly.
- Hosted three monthly monitoring/management coordination meetings with local land managers and wildlife agency representatives, one of which had a presenter from the Biological Monitoring Program.
- Submitted article on Brand's phacelia project to SAWA's new biannual newsletter.
- Submitted 2016 Species Occurrence Dataset to the managers. Finalizing 2016 reports.

Training

- Herp Lead conducted turtle trapping training on July 13.
- Biologist Supervisor attended supervisor training on July 26 and August 29.
- Data Manager attended ArcGIS 123 program training on June 22 and August 29.
- Statistical Analysis with Microsoft Excel webinar attended by most staff on August 7.
- All Hands Meeting occurred on September 8: cleaned and checked vehicles, continued equipment inventory, discussed survey and report status.

AGENDA ITEM NO. 9
Attachment 6

DOUGLAS P. WHEELER
HOGAN LOVELLS, US LLP



Quarterly Contract Report

WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY

July-September, 2017

The Congress returned from its summer recess to a full agenda of controversial issues, and has devoted considerable time on its legislative calendar to resolution of those, notably including repeal or reform of the Affordable Care Act. Though, in the end, the effort was abandoned, an extensive debate left little room for consideration of other priorities, notably including a **budget for Fiscal Year 2018**, which began on October 1. Unable to enact a budget prior to this deadline, the Congress adopted a Continuing Resolution (CR), effective through December 7. By this device, the House and Senate are able to appropriate funds at current (FY 2017) levels for an early portion of the new fiscal year, with the expectation of subsequent action to enact a budget (at different levels) for the remainder of the fiscal year. For programs of interest to the Authority, including section 6 of the Endangered Species Act, funding levels will remain unchanged through December 7, 2017. When it is finally approved, however, the new budget will likely incorporate recommendations for Fiscal Year 2018 which have already been adopted by relevant committees of the House (H.R. 3354) and Senate. Thanks to the support of Chairman Ken Calvert, for instance, the **House Interior Appropriations Subcommittee has recommended section 6 funding of \$53.5 million**, the same as in FY 2017, and substantially more than the amount (\$19.3 million) which had been recommended in the President's budget proposal.

Both the House (Natural Resources Committee) and the Senate (Environment and Public Works Committee) have begun consideration of **legislation to update the ESA**. At a hearing in July, Acting Director, FWS, Greg Sheehan expressed broad Administration support for two of five bills (H.R. 717, H.R. 1274) which are intended to streamline the listing procedure, and enhance the role of states in making listing decisions. The Senate Committee has also held multiple hearings on ESA issues, and is reported to be drafting a bill that will reflect the policy recommendations of the Western Governors Association. These, too, are aimed at a greater role for states in program administration, and reduced administrative complexity. Although prospects for enactment in either body are unknown, the Senate Committee hopes to develop a bi-partisan consensus around a relatively modest bill.

The Department of the Interior and U.S. Fish and Wildlife Service are no exception to the rule that President Trump has been slow to select **nominees for senior positions**. Although Secretary Ryan Zinke and Deputy Secretary David Bernhardt are now in place, the President has yet to nominate an Assistant Secretary for Fish and Wildlife and Parks or a Director of the U.S. Fish and Wildlife Service. At FWS, Greg Sheehan, former director of the Utah Division of Wildlife Resources, has been appointed by Secretary Zinke to be Deputy Director, and currently serves as Acting Director. It has been reported that Scott Talbott, director of the Wyoming Game and Fish Department, will become Director, but he has not yet been nominated. Secretary Zinke has appointed two Deputy Assistant Secretaries, Aurelia Skipwith, a veteran of Capitol Hill and the Monsanto Company, and Todd Willens, also a former Congressional staff member. Willens serves

as Acting Assistant Secretary for Fish and Wildlife and Parks, pending the nomination of a permanent Assistant Secretary.

In order to increase the availability of Federal funding for habitat acquisition under the MSHCP, the Authority has begun to explore the possibility of establishing a new **National Wildlife Refuge** on land which is already designated for acquisition within the covered area. The Federal government has yet to fully meet its funding commitment to the MSHCP, and has been able to provide acquisition assistance only in the form of modest annual grants under section 6 of the Endangered Species Act. Because refuge funding is derived from a separate source, FWS could more readily meet its financial obligation through establishment of a new refuge. Early inquiries have been well-received, both in Washington (by Cynthia Martinez, the Assistant Director for Refuges) and in Sacramento (by Regional Director Paul Souza and Regional Refuge Assistant Director Polly Wheeler). Because the MSHCP has already been vetted for habitat quality, there is little doubt that it meets Refuge criteria. However, FWS officials have cautioned that there are numerous procedural requirements to be met, and some reluctance to establish new refuges at a time of budget constraints. Therefore, the Authority has sought the support of Chairman Calvert for legislation to establish the new refuge. Now that a concept has been approved by the Board, legislation can be introduced which meets its exact specifications and requirements.

The President's support for a comprehensive **national infrastructure program** gives rise to the possibility that environmental requirements will be met through support of previously-established mitigation programs, such as the MSHCP. It has even been suggested that mitigation be permitted to occur outside the impacted area, allowing infrastructure developers to meet their mitigation obligations through reliance on offsite projects such as the MSHCP. The Council on Environmental Quality (CEQ) has announced its intention to investigate opportunities for "permit streamlining" to facilitate infrastructure development. The program, to be led by Ted Boling, will include an evaluation of opportunities for advance mitigation and the role of mitigation projects like the MSHCP. In a preliminary meeting on September 21, Boling expressed interest in the Authority's work, and invited its participation in the Council's review of successful models.

*Douglas P. Wheeler, Esq.
Washington, D.C.
October 5, 2017*

2017 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
EMWD	Eastern Municipal Water District
EPD	Environmental Programs Department (<i>Riverside County</i>)
ERP	Expedited Review Process
FY	Fiscal Year
HANS	Habitat Evaluation and Acquisition Negotiation Strategy
HMU	Habitat Management Unit
IC	Interchange
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
RCRCD	Riverside-Corona Resource Conservation District
RCOE	Riverside County Office of Education
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
WIFIA	Water Infrastructure Finance and Innovation Act
WIIN	Water Infrastructure Improvements for the Nation
WA	Wildlife Agencies (<i>USFWS & CDFW</i>)
WCB	Wildlife Conservation Board
WPT	Western Pond Turtle
WRDA	Water Resources Development Act