



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 12:10 p.m. on Wednesday, March 20, 2019, 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
Jonathan Ingram, Chairman – City of Murrieta	Crystal Ruiz – City of San Jacinto
Natasha Johnson, Vice Chair. – City of Lake Elsinore	Kevin Jeffries – County of Riverside District 1
Larry Greene – City of Canyon Lake	
Lesla Sobek – City of Menifee	
Jeff Hewitt – County of Riverside District 5	

3. PUBLIC COMMENTS

There were no public comments.

4. COMMITTEE MEMBER ANNOUNCEMENTS

Vice Chair Johnson said that the City of Lake Elsinore had approximately 130,000 visitors over the weekend at the poppy fields, and the City is busy planning for the next four to six weeks. She expressed appreciation for the support received from RCA and adjoining communities that have been assisting in handling the crowd, traffic and safety concerns. The situation has been difficult and costly for the City. She further stated that the City of Lake Elsinore’s Subcommittee met with applicants for the Lake Street Storage project to discuss MSHCP requirements. It was concluded that least

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Bell's vireo exist in the vicinity and may be on the property, and the City is prepared to move forward with entitling the project. She thanked RCA staff for suggestions made to protect the sensitive areas. Board Member Greene announced that he met with Congressman Calvert and staff regarding a land exchange for BLM property on the north end of the City of Canyon Lake. He anticipates a meeting with BLM and RCA within the next month. He stated that this has been a three-year process. Board Member Sobek announced that the City of Menifee has a new interim City Hall location and invited Executive Committee Members and those in attendance to visit. Their permanent City Hall will be in Town Center. She also stated that the old City Hall would become the new Police Department. Board Member Hewitt advised that he is visiting cities in his district and creating a feasible wish list. During his visit to the City of Menifee, he got the opportunity to see their new interim City Hall, and it is nice. He also mentioned that RCTC's Route 60 Truck Lanes Project, which is to widen a 4.5-mile section of the Route 60 in the Unincorporated County between Moreno Valley and Beaumont, would begin construction mid-2019. During construction, one westbound lane will be closed for approximately six months, which will allow the project to be completed up to a year earlier. Up to four weekend closures and nightly lane closures will also be needed. He also attended the City of Banning's Chamber of Commerce meeting with many exciting things happening with the new I-10 Bypass. He further stated that there are some proposed new development projects in the Nuevo area. Chairman Ingram asked Charles Landry, Executive Director, to give an update on the Wildlife Refuge. Charles Landry reported that RCA provided letters of support for the establishment of the refuge to Congressman Calvert, who is very close to proposing legislation for the Wildlife Refuge. Once that happens, U.S. Senator Feinstein will draft the accompanying legislation in the Senate.

5. ADDITIONS/REVISIONS

There were no additions/revisions to the agenda.

6. APPROVAL OF MINUTES – February 20, 2019

M/S/C (City of Canyon Lake/City of Lake Elsinore) to approve the minutes of the February 20, 2019, Meeting of the Executive Committee as submitted.

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

7. WESTERN RIVERSIDE COUNTY MSHCP FEE COLLECTION REPORT FOR FEBRUARY 2019

Honey Bernas, Deputy Executive Director, reported that for the month of February 2019, the total of fee collection receipts was \$1,785,869.

M/S/C (County District 5/City of Canyon Lake) 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 February 2019; and***
- 2) ***Authorize staff to agendize this matter for the April 1, 2019 meeting of the RCA Board of Directors.***

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

8. NON-DEVELOPMENT HANS FUNDING LEVEL FOR FISCAL YEAR 2020

Honey Bernas, Deputy Executive Director, presented the Non-Development HANS funding Level for Fiscal Year 2020. The MSHCP allows for property owners who do not intend to file a development application to submit their properties for evaluation and possible acquisition under the HANS process. The MSHCP requires that a separate fund and priority list be established for properties that fall within this category. RCA Land Acquisition Policy 1.13 requires that the level of funding to be set aside for Non-Development HANS properties is to be reviewed annually and set by the RCA Board of Directors. Staff recommends that funding level be increased from 1% to 3% of the MSHCP fees collected, effective July 1, 2019. Chairman Ingram asked if these properties are in rural areas. Charles Landry, Executive Director, replied that they can be anywhere within the Plan Area. The Plan allows a private owner or developer to sell property to RCA, without a proposed development project. It's a first-come, first-served program. Chairman Ingram asked which property is RCA committed to purchasing now. Charles Landry answered Devcal, which is one of a number of properties that have been submitted. Board Member Sobek asked why staff recommends going up to 3% if the 1% that is currently budgeted is enough to acquire the property on the list. Honey Bernas answered that acquiring the one property will nearly deplete the fund, and RCA is currently negotiating with several other property owners. Staff recommends increasing the amount to 3% in an effort to increase the balance in the fund. The fund balance as of March 20, 2019, is \$61 thousand. Staff projects the fund balance will be \$110 at the end of Fiscal Year 2019. Honey Bernas stated that the RCA Board of Directors can review and adjust the amount set aside at any time during the year. If negotiations fail on all of the properties under negotiation, the Board could consider reducing the funding level at that time. Board Member Hewitt commented that since this fund is used on a first-come, first-served basis, 3% would allow serving three times as many.

M/S/C (City of Lake Elsinore/City of Menifee) to approve this item as recommended:

- 1) ***Recommend that that RCA Board of Directors direct staff to set aside no more than three percent (3%) of Western Riverside County Multiple Species Habitat Conservation Plan Local Development Mitigation Fees received, effective July 1, 2019, to purchase Non-Development HANS Properties under Section 1.13 of the Land Acquisition Policies; and***

- 2) ***Authorize staff to agendize this matter for the April 1, 2019 meeting of the RCA Board of Directors.***

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

9. **FIRST AMENDMENT TO THE AGREEMENT FOR FUNDING THE ACQUISITION OF CONSERVATION CREDITS BETWEEN THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY AND CRESTMORE REDEVELOPMENT, LLC.**

John Field, Land Acquisition Director, presented the First Amendment to the Agreement for Funding the Acquisition of Conservation Credits between the Western Riverside County Regional Conservation Authority and Crestmore Redevelopment, LLC. He stated that on September 10, 2018, the RCA Board of Directors approved a funding agreement with Crestmore Redevelopment, LLC, who is planning to remediate and repurpose the former Riverside Cement Company Plant in the Agua Mansa area in the City of Jurupa Valley. The developer is required to mitigate for the Delhi Sands flower-loving fly (DSF). The MSHCP allows mitigating for the DSF outside of Riverside County due to habitat being so difficult to find. RCA is going to acquire 50 acres worth of credit from the Colton Dunes Conservation Bank in the City of Colton. The terms of the agreement approved in September have changed. It will cost another \$750 thousand to acquire the 50 acres of credit. The developer has agreed to pay the additional cost, and RCA is not going to incur any additional expense due to the increase. Chairman Ingram asked legal counsel if he should recuse himself since he assisted RCA staff in negotiating the agreement. Steve DeBaun, General Counsel, replied if Chairman Ingram has no financial interest in the transaction, then there is no need to recuse. Board Member Greene asked why the cost had increased \$750 thousand. John Field replied that the transaction involves a fee credit and cash payment toward the purchase of the conservation credits at the bank. The fee credit was placed in the mix because of a surface mine that Vulcan Materials owns in the City of Corona. They are expanding that mine, and the fee credit that RCA is giving them will cover that expansion so they do not have to pay RCA MSHCP fees. The fee credit is now on top of the cost of the credits. He further stated that the fly bank credits normally sell for \$250 thousand per acre credit, and the RCA is paying \$140 thousand per acre credit. The deadline for Crestmore to make the payment of \$3,750,000 to RCA has also been changed from December 31, 2019 to December 13, 2019 to allow RCA enough time after receiving the funds from Crestmore to process the payment to CalMat during the calendar year-end and holiday season.

M/S/C (City of Lake Elsinore/County District 5) to approve this item as recommended:

- 1) ***Recommend that the RCA Board of Directors approve the Amendment to the Agreement for Funding the Acquisition of Conservation Credits between the Western Riverside County Regional Conservation Authority and Crestmore Redevelopment, LLC;***

- 2) ***Recommend that the RCA Board of Directors authorize the Chairman to execute, pursuant to legal counsel review and approval, said Amendment on behalf of the RCA;***
- 3) ***Recommend that the RCA Board of Directors authorize the Executive Director of RCA to approve a time extension of the Crestmore Agreement in the event one is necessary; and***
- 4) ***Authorize staff to agendize this matter for the April 1, 2019, meeting of the RCA Board of Directors.***

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

10. AGREEMENT FOR THE PURCHASE OF FIFTY COLTON DUNES CONSERVATION BANK CREDITS BETWEEN THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY AND CALMAT COMPANY

John Field, Land Acquisition Director, presented the Purchase of Fifty Colton Dunes Conservation Bank Credits between the Western Riverside County Regional Conservation Authority and Calmat Company. This is the agreement for the Colton Dunes Conservation Bank to sell RCA 50 conservation credits. The MSHCP allows RCA to mitigate outside of the county. The DSF bank is in the City of Colton. Credits per acre are typically sold for \$250 thousand and RCA is buying them for \$140 thousand per acre credit, which is a 44% discount. This transaction will cover RCA's requirement for the fly under MSHCP in the Agua Mansa area. Developments in other areas with Delhi sands will still have to do surveys on properties outside of Agua Mansa and mitigate per the requirements in the MSHCP if the species detected.

M/S/C (City of Lake Elsinore/City of Canyon Lake) to approve this item as recommended:

- 1) **Recommend that the RCA Board of Directors approve the Agreement for the Purchase of 50 Colton Dunes Conservation Bank Credits between the Western Riverside County Regional Conservation Authority and CalMat Company;**
- 2) **Recommend that the RCA Board of Directors authorize the Chairman to execute, pursuant to legal counsel review and approval, said Agreement on behalf of the RCA; and**
- 3) **Authorize staff to agendize this matter for the April 1, 2019, meeting of the RCA Board of Directors.**

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

11. CITY OF TEMECULA'S VINE CREEK AFFORDABLE HOUSING PROJECT CEQA RESPONSIBLE AGENCY FINDINGS, CRITERIA REFINEMENT FINDINGS, APPROVAL OF AGREEMENT FOR FUNDING OF ACQUISITION REPLACEMENT LAND, AND INDEMNITY AGREEMENT

Michelle Ouellette, General Counsel, presented the City of Temecula's Vine Creek Affordable Housing Project CEQA Responsible Agency Findings, Criteria Refinement Findings, Approval of Agreement for Funding of Acquisition Replacement Land, and Indemnity Agreement. A Criteria Refinement has been requested for a project in the City of Temecula and RCA staff is supportive thereof. There has been extensive analysis of the Criteria Refinement, and it meets all the requirements for the MSHCP. The developer has provided an indemnification agreement, which is beneficial for RCA; and therefore, staff recommends that this matter be placed on the agenda for the next Board of Directors' meeting and that RCA adopt a resolution considering a mitigated negative declaration for Vine Creek. RCA is a responsible agency under CEQA and RCA has to make responsible agency findings. There is also an agreement for funding the acquisition of the replacement land, which is needed to complete the Criteria Refinement. Chairman Ingram asked where the replacement land is coming from. John Field, Land Acquisition Director, answered that it is a portion of the Shamblen property. Charles Landry, Executive Director, said the Shamblen property is RCA-owned land that is outside the criteria area, but adjoins existing reserve land and is available for use as replacement land for a criteria refinement. Michelle Ouellette then gave an overview of the Criteria Refinement process. The MSHCP requires that 500,000 acres be conserved for the Reserve. The Reserve will be managed in perpetuity, and in return for that, everything else in the Plan Area can be developed. When the MSHCP was approved, there were 350,000 thousand acres, of the 500,000 that were already in public or quasi-public ownership. The RCA and the state and federal resource agencies are obligated to acquire the remaining acreage. When development proposals come in, they may be located on land that is called out for conservation, which means technically that RCA would have to buy that property. However, there are some instances, where RCA can move the Cell Criteria to other property that is not described for conservation and allow the development to go forward because those impacts are being made up with the inclusion of the replacement property. RCA is not eliminating the Criteria Cell obligations. Rather, they are just being moved around. This criteria refinement process is supported by RCA. The process has been streamlined by adopting policies and resolutions so that it is easier for developers and they know what to expect. Honey Bernas, Deputy Executive Director, stated that the developer of this project is to make a presentation at the Board of Directors meeting and will answer any questions of the Board of Directors.

M/S/C (City of Lake Elsinore/County District 5) to approve this item as recommended:

- 1) Recommend that the RCA Board of Directors adopt Resolution No. 2019-XXX, Resolution of the Board of Directors of the Western Riverside County Regional Conservation Authority Considering a Mitigated**

Negative Declaration for the Vine Creek Affordable Housing Project Making Responsible Agency Findings Pursuant to the California Environmental Quality Act, and Accepting Findings and Making A Final Determination Regarding the Multiple Species Habitat Conservation Plan Criteria Refinement;

- 2) Recommend that the RCA Board of Directors approve the Agreement for Funding the Acquisition of Replacement Land (Shamblen) between Western Riverside County Regional Conservation Authority and Idaho Pacific West Communities, Inc.;**
- 3) Recommend that the RCA Board of Directors approve the Western Riverside County Regional Conservation Authority Reimbursement and Indemnity Agreement for Criteria Refinement (CR#: 18-08-13-01; JPR#: 18-01-29-01); and**
- 4) Authorize staff to agendize this matter for the April 1, 2019, meeting of the RCA Board of Directors.**

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

12. FIRE MANGEMENT PLAN FOR RCA DURING HIGH FIRE SEASON

Tricia Campbell, Director of Reserve Management and Monitoring, discussed the existing fire abatement processes on RCA lands. CAL FIRE recently provided RCA with shape files showing their proposed fuel breaks, some of which are on RCA lands. RCA will be working with CAL FIRE who anticipates constructing the fire breaks in the fall of 2019. RCA receives Weed Abatement Notices annually, and County Parks RCA Reserve Management staff immediately addresses those matters and performs the abatement work, which typically consists of mowing, herbicide treatments, and grazing of cattle and sheep. RCA is also researching the use of goats for grazing. Reserve Management staff communicates with private landowners that are directly adjacent to reserve lands who are interested in knowing what they can do on their land to help. Chairman Ingram asked for a line item relating to costs for fuel modifications for properties that RCA owns and will acquire in the future. He said this helps in obtaining additional peripheral funding for the wildfire issues that are being dealt with federally for legislation. Board Member Sobek asked if and when AQMD gets involved, if that does not limit CAL FIRE burning to 250 acres per day. Chairman Ingram answered that this is not controlled burning but fuel modification, which consist of herbicides, mowing and grazing. Charles Landry, Executive Director, responded that when there is an area that is adjoining a development, RCA does not burn, but mows the land. What is being proposed on the fire piece, are actual firebreaks, which is a clearing of the land to fight the fire and provides access. RCA has to be concerned about fuel modification. It must identify and assess areas, especially those areas where RCA land is near development. Board Member Hewitt said that the natural cycle for all the species and plants includes wildfires every decade or two. There needs to be a buffer to protect homes, and runoff and flood control must be dealt with. We should want

these areas to burn on a cycle basis. Vice Chair Johnson said that if there had been a series of burns, perhaps the City of Lake Elsinore would not have had the level of devastation experienced recently. Chairman Ingram stated that with the recent rainfalls, the groundcover will increase exponentially, which is fuel. Charles Landry, Executive Director, stated that when RCA works with a developer, the RCA does not acquire the fuel modification area. Chairman Ingram suggested that the Executive Committee work with staff to create a fire management plan and then agendize the matter for a future Board of Directors' meeting.

13. UPDATE CONCERNING PUBLIC SIGHTSEEING OF THE CALIFORNIA POPPIES ON RCA RESERVE LAND IN THE WALKER CANYON AREA

RCA staff and the Executive Committee discussed public sightseeing of the California poppies in the Walker Canyon Area in the City of Lake Elsinore. Executive Director Charles Landry showed a map identifying RCA, County, RCHCA and privately owned parcels where poppies are blooming and the public is visiting in record numbers. RCA's land management staff is averaging 60 hours week per employee in this area, which is not a normal activity for them, and they are working overtime hours. Since the County owns a portion of the area, they have been asked to assist. Vice Chair Johnson said that the City of Lake Elsinore met with the County to discuss participation and contributions needed. The overtime issue spreads across every agency, county, city, law enforcement, and CAL FIRE. A state of emergency has been declared and the County's Emergency Management Department, under Bruce Barton, is now involved and will be coordinating all involved agencies starting March 22, 2019. She further advised how public sanitation is being addressed at the site and how parking will be managed. An Emergency Operating Center command post will be located at Walker Canyon. Chair Johnson gave an overview of the emergency management plan. A discussion on the handling of emergencies ensued.

At the end of this discussion, Michelle Ouellette, General Counsel departed the meeting.

14. EXECUTIVE DIRECTOR'S REPORT

14.1 UPCOMING CALIFORNIA HCP MEETING

Charlie Landry, Executive Director, stated that the Annual California HCP meeting is scheduled for mid-April. This group works on obtaining additional funding from the State of California. A discussion of what works and what does not work for HCPs takes place, as well as the importance of expediting the formation of new HCPs through the process. The average time to obtain approval for a countywide HCP is five to 10 years. The MSHCP for Western Riverside County, which is the largest HCP in the state, was finished in three years. Senator Allen has introduced SB 45, which is the Wildlife Drought and Flood Protection Bond Act for 2020, which proposes \$300 million for the protection of fish and wildlife, which can be used for NCCP lands acquisitions. The State of California's Endangered Species Act calls habitat conservation plans "Natural Communities Conservation Plans" (NCCP). The Western

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Riverside County MSHCP is both an NCCP and an HCP. Executive Director Landry went on to explain that the federal component of that grant funding is Endangered Species Act Section 6. The request for proposals for Section 6 funding has just been released by the federal government. RCA has been waiting for this RFP for over a year. Nationwide funding for Section 6 grants is \$40 million, and RCA will be requesting a big portion of that funding.

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

Chairman Ingram requested a discussion regarding fire management planning prior to the approaching high fire season considering the region's wet winter. Chairman Ingram will provide staff direction to schedule a meeting with Member Agencies' Fire Departments and folks from Sacramento. Board Member Greene suggested bringing Cal Fire's Fuel Modification maps and see how they overlay with RCA's maps. This will give a better picture on how the responsibility will be managed. Board Member Hewitt stated that State Responsibility Areas and Wildlands Interface will need to be addressed as well. Staff was directed to report back to the Executive Committee.

16. ADJOURNMENT

There being no other items before the Executive Committee, Chairman Ingram adjourned the meeting at 1:15 p.m. The next meeting of the Western Riverside County Regional Conservation Authority Executive Committee is scheduled for Wednesday, April 17 2019, at 12:00 p.m. at the RCA offices in Riverside, 3403 Tenth Street, Suite 320, Third Floor, Riverside, California, 92501.

Prepared by:



Rose Haro
Administrative Manager

Respectfully submitted:



Honey Bernas
Clerk of the Board